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Contents

I *Legislative acts*

REGULATIONS

- ★ **Regulation (EU) No 670/2012 of the European Parliament and of the Council of 11 July 2012 amending Decision No 1639/2006/EC establishing a Competitiveness and Innovation Framework Programme (2007-2013) and Regulation (EC) No 680/2007 laying down general rules for the granting of Community financial aid in the field of the trans-European transport and energy networks** 1
- ★ **Regulation (EU) No 671/2012 of the European Parliament and of the Council of 11 July 2012 amending Council Regulation (EC) No 73/2009 as regards the application of direct payments to farmers in respect of the year 2013** 11

II *Non-legislative acts*

INTERNATIONAL AGREEMENTS

2012/418/EU:

- ★ **Council Decision of 21 December 2011 on the signing, on behalf of the European Union, and provisional application of certain provisions of the Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Iraq, of the other part** 18
- Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Iraq, of the other part** 20

Price: EUR 7

(Continued overleaf)

EN

Acts whose titles are printed in light type are those relating to day-to-day management of agricultural matters, and are generally valid for a limited period.

The titles of all other acts are printed in bold type and preceded by an asterisk.

DECISIONS

2012/419/EU:

★ **European Council Decision of 11 July 2012 amending the status of Mayotte with regard to the European Union** 131

I

(Legislative acts)

REGULATIONS

**REGULATION (EU) No 670/2012 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
of 11 July 2012****amending Decision No 1639/2006/EC establishing a Competitiveness and Innovation Framework Programme (2007-2013) and Regulation (EC) No 680/2007 laying down general rules for the granting of Community financial aid in the field of the trans-European transport and energy networks**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 172, and Article 173(3) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee ⁽¹⁾,

After consulting the Committee of the Regions,

Acting in accordance with the ordinary legislative procedure ⁽²⁾,

Whereas:

(1) Decision No 1639/2006/EC of the European Parliament and of the Council ⁽³⁾ establishes the Competitiveness and Innovation Framework Programme (CIP) with different types of implementing measures pursued by specific programmes, of which 'the Information and Communications Technologies (ICT) Policy Support Programme' provides support for the strengthening of the internal market for ICT products and services and ICT-based products and services, and aims at stimulating innovation through the wider adoption of, and investment in, ICT.

(2) Regulation (EC) No 680/2007 of the European Parliament and of the Council ⁽⁴⁾ lays down the general

rules for the granting of Union financial aid in the field of the trans-European transport and energy networks and creates also the risk-sharing instrument 'Loan Guarantee instrument for TEN-Transport ("TEN-T") projects'.

(3) Over the next decade, according to Commission estimates, unprecedented volumes of investment in Europe's transport, energy, information and communication networks will be needed in order to contribute to the achievement of the Europe 2020 policy objectives, in particular climate goals and the transition to a resource-efficient low-carbon economy by developing smart, upgraded and fully interconnected infrastructures, and to foster the completion of the internal market.

(4) Debt capital market financing is not readily available for infrastructure projects in the Union. The difficulties for infrastructure projects in gaining access to long-term private finance or public funding should not lead to a deterioration in performance on the part of transport, telecommunication and energy systems nor the slowing down of broadband penetration. Due to the fragmentation of the bond markets across the Union, combined with unknown demand as well as the size and complexity of infrastructure projects which require long lead times for project preparation, it is appropriate to address this issue at Union level.

(5) Financial instruments, as governed by Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities ⁽⁵⁾, can, in some cases, improve the efficiency of budget spending and achieve high multiplier effects in terms of attracting private sector financing. This is particularly relevant in the context of difficult access to credit, constraints on public finances, and in view of the need to underpin Europe's economic recovery.

⁽¹⁾ OJ C 143, 22.5.2012, p. 134.

⁽²⁾ Position of the European Parliament of 5 July 2012 (not yet published in the Official Journal) and decision of the Council of 10 July 2012.

⁽³⁾ OJ L 310, 9.11.2006, p. 15.

⁽⁴⁾ OJ L 162, 22.6.2007, p. 1.

⁽⁵⁾ OJ L 248, 16.9.2002, p. 1.

- (6) In its resolution of 8 June 2011 on Investing in the future: a new Multiannual Financial Framework (MFF) for a competitive, sustainable and inclusive Europe, the European Parliament welcomed the Europe 2020 Project Bond Initiative, a risk-sharing mechanism with the EIB providing capped support from the Union budget, that is designed to leverage the Union funds and attract additional interest from private investors for participating in priority projects that are in line with Europe 2020 objectives. In its conclusions of 12 July 2011 on the Single Market Act, the Council recalled that financial instruments need to be assessed in terms of leverage effects in comparison to existing instruments, risks that would be added to government balance sheets and possible crowding out of private institutions. The Commission Communication on a pilot for the Europe 2020 Project Bond Initiative and the related impact assessment, which draw on a public consultation, should be seen in this context.
- (7) A pilot phase for the Europe 2020 Project Bond Initiative should be launched, the aim of which is to help finance priority projects with a clear EU added value, and to facilitate greater private sector involvement in the long-term capital market financing of economically viable projects in the field of transport, energy and ICT infrastructure. The instrument will benefit projects with similar financing needs and, thanks to synergies between the sectors, should produce greater benefits in terms of market impact, administrative efficiency and resource utilisation. It should provide infrastructure stakeholders such as financiers, public authorities, infrastructure managers, construction companies and operators with a coherent instrument and will be driven by market demand.
- (8) During the pilot phase for the Europe 2020 Project Bond Initiative, the Union budget is to be used along with financing from the EIB in the form of a joint risk-sharing instrument for project bonds issued by project companies. That instrument seeks to mitigate the debt-service risk of a project and the credit risk of bondholders to such an extent that capital market participants, such as pension funds, insurance companies and other interested parties, are willing to invest in a larger volume of infrastructure project bonds than would be possible without Union support.
- (9) In light of the EIB's long-standing expertise and given that it is the major financier of infrastructure projects and the EU financial body established by the Treaty, the Commission should involve the EIB in the implementation of the pilot phase. The main terms, conditions and procedures of the risk-sharing instrument for project bonds should be laid down by means of this Regulation. More detailed terms and conditions, including risk sharing, remuneration, monitoring and control, should be laid down in a cooperation agreement between the Commission and the EIB. That cooperation agreement should be approved by the Commission and the EIB according to their respective procedures.
- (10) The pilot phase for the Europe 2020 Project Bond Initiative should be launched as soon as possible during the current financial framework and implemented without undue delay in order to ascertain whether, and to what extent, such risk-sharing financial instruments offer added value in the area of infrastructure financing and for the development of debt capital market financing of infrastructure projects.
- (11) The pilot phase should be funded by means of budget redeployment in the 2012 and 2013 budgets from existing transport, energy and telecommunication programmes. For this purpose, it should be possible for up to EUR 200 million to be redeployed for this initiative from the TEN-T budget, up to EUR 20 million from the budget of the Competitiveness and Innovation Framework Programme and up to EUR 10 million from the TEN-Energy ("TEN-E") budget. The budgetary funds available limit both the scope of the initiative and the number of projects that can be supported.
- (12) Budgetary funds should be requested by the EIB on the basis of a range of projects, which the EIB and the Commission deem to be suitable, to be in line with the Union's long-term policy objectives and likely to be realised. Any such requests and the corresponding budgetary commitments should be made no later than 31 December 2013. Due to the complexity of large infrastructure projects, it should be possible for the actual approval by the EIB's Board of Directors to take place at a later date, but no later than 31 December 2014.
- (13) Application for support, and selection and implementation of all projects should be subject to Union law, in particular with regard to state aid, and should seek to avoid creating or adding to market distortions.
- (14) In addition to the reporting requirements under point 49 of the Interinstitutional Agreement of 17 May 2006 between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management⁽¹⁾, the Commission should, with the support of the EIB, report every six months during the pilot phase to the European Parliament and the Council after the signature of the cooperation agreement and submit an interim report to the European Parliament and the Council in the second half of 2013. An independent full-scale evaluation should be carried out in 2015.

⁽¹⁾ OJ C 139, 14.6.2006, p. 1.

- (15) Drawing upon that independent full-scale evaluation, the Commission should assess the relevance of the Europe 2020 Project Bond Initiative as well as its effectiveness in increasing the volume of investments in priority projects and enhancing the efficiency of Union spending.
- (16) The pilot phase of the Europe 2020 Project Bond Initiative should be launched in preparation for the Connecting Europe Facility proposed by the Commission. It is without prejudice to any decisions concerning the Union's Multiannual Financial Framework (MFF) after 2013 and concerning the possible re-use of reflows from financial instruments in the context of the negotiations on the proposal for a regulation of the European Parliament and of the Council on the financial rules applicable to the annual budget of the Union.
- (17) In order to implement the pilot phase of the Europe 2020 Project Bond Initiative, Decision No 1639/2006/EC and Regulation (EC) No 680/2007 should be amended accordingly.
- (18) In order for the measures provided for in this Regulation to be effective, in view of the limited duration of the pilot phase, this Regulation should enter into force on the day following its publication,

HAVE ADOPTED THIS REGULATION:

Article 1

Amendments to Decision No 1639/2006/EC

Decision No 1639/2006/EC is hereby amended as follows:

- (1) in Article 8, the following paragraph is added:

'5a. Without prejudice to paragraphs 1 to 5, for projects carried out under the risk-sharing instrument for project bonds referred to in Article 31(2), the Commission and the European Investment Bank (EIB) shall submit an interim report to the European Parliament and the Council in the second half of 2013. An independent full-scale evaluation shall be carried out in 2015.

On the basis of that evaluation, the Commission shall assess the relevance of the Europe 2020 Project Bond Initiative and its effectiveness in increasing the volume of investments in priority projects and enhancing the efficiency of Union spending. In the light of that assessment, taking into account all options, the Commission shall consider proposing appropriate regulatory changes, including legislative changes, in particular if the predicted market uptake is not satisfactory or in the event that alternative sources of long-term debt financing become sufficiently available.

The interim report referred to in the first subparagraph shall include a list of the projects which have benefited from the

risk-sharing instrument for project bonds referred to in Article 31(2a) to (2e), with information on the terms of the bonds issued and the types of current and potential future investors.;

- (2) in Article 26(2), point (b) is replaced by the following:

'(b) stimulation of innovation through the wider adoption of, and investment in, ICT and broadband;';

- (3) Article 31 is amended as follows:

- (a) paragraph 2 is replaced by the following:

'2. The projects referred to in paragraph 1(a) shall aim to promote innovation, technology transfer and the dissemination of new technologies that are ready for market uptake.

The Union may award a grant to contribute to the budget of those projects.

The Union may, alternatively, make, during a pilot phase in 2012 and 2013, a financial contribution to the EIB towards the provisioning and capital allocation for debt instruments or guarantees to be issued by the EIB from its own resources under the risk-sharing instrument for project bonds.;

- (b) the following paragraphs are inserted:

'2a. The risk-sharing instrument for project bonds referred to in the third subparagraph of paragraph 2 is a joint instrument by the Commission and the EIB which provides added value as a Union intervention, addresses sub-optimal investment situations when projects do not receive adequate financing from the market, and provides additionality. It avoids distortion of competition, aims to secure a multiplier effect and aligns interests in the form of a credit enhancement. The risk-sharing instrument for project bonds shall:

- (a) take the form of a debt instrument or a guarantee granted by the EIB with the support of a Union budget contribution in favour of financing provided to projects in the field of ICT and broadband, complementing or attracting financing by Member States or the private sector;
- (b) mitigate the debt service risk of a project and the credit risk of bond holders;
- (c) be used only for projects whose financial viability is based on project revenues.

2b. The Union exposure to the risk-sharing instrument for project bonds, including management fees and other eligible costs, shall in no case exceed

the amount of the Union contribution to the risk-sharing instrument for project bonds nor extend beyond the maturity of the underlying portfolio of credit enhancement facilities. There shall be no further liability on the general budget of the Union. The residual risk related to project bond operations shall always be borne by the EIB.

2c. The main terms, conditions and procedures of the risk-sharing instrument for project bonds are laid down in Annex IIIa. The detailed terms and conditions for implementing the risk-sharing instrument for project bonds, including risk sharing, remuneration, monitoring and control, shall be laid down in a cooperation agreement between the Commission and the EIB. That cooperation agreement shall be approved by the Commission and the EIB according to their respective procedures.

2d. In 2013, an amount of up to EUR 20 million may be used from the budget allocated for the pursuance of ICT and broadband policy in accordance with the rule set out in point (b) of Annex I. Given the limited duration of the pilot phase, the risk-sharing

instrument for project bonds may reuse any revenues received before 31 December 2013 for new debt instruments and guarantees within the same risk-sharing facility and for projects fulfilling the same eligibility criteria in order to maximise the volume of investments supported. In the event that the risk-sharing instrument for project bonds is not extended into the next multiannual financial framework, any remaining funds shall be returned to the revenue side of the general budget of the Union.

2e. In addition to the reporting requirements set out in point 49 of the Interinstitutional Agreement of 17 May 2006 on budgetary discipline and sound financial management, and without prejudice to any other regulatory reporting requirements, the Commission shall report to the European Parliament and the Council every six months during the pilot phase on the performance of the risk-sharing instrument for project bonds, including the financial terms and placement of any project bonds issued.;

(4) the following Annex is added:

'ANNEX IIIa

Main terms, conditions and procedures of the risk-sharing instrument for project bonds referred to in Article 31(2c)

The EIB shall be a risk-sharing partner and shall manage the Union contribution to the risk-sharing instrument for project bonds on behalf of the Union. More detailed terms and conditions for implementing that instrument, including its monitoring and control, shall be laid down in a cooperation agreement between the Commission and the EIB, taking into account the provisions laid down in this Annex.

(a) The EIB facility

1. The risk-sharing instrument for project bonds will be designed for each eligible project as a subordinated facility, in the form of a debt instrument or a contingent (guarantee) facility or both, in order to facilitate the issue of a project bond.
2. Should the EIB be or become a creditor to a project, the EIB's rights under the risk-sharing instrument for project bonds shall rank behind the debt service of the senior debt and ahead of equity and any financing related to equity.
3. The facility shall not exceed 20 % of the total amount of the senior debt issued.

(b) Budget

ICT:

2013: Up to EUR 20 million.

The request for transfer of the sums above shall be issued by 31 December 2012 and shall be supported by a forecast of the need for the scheduled Union contribution.

If necessary, that forecast may serve as the basis for a demand-based reduction of the 2013 amount which shall be decided in accordance with the procedure referred to in Article 46(2).

(c) Fiduciary account

1. The EIB shall set up a fiduciary account to hold the Union contribution and revenues resulting from the Union contribution.
2. Given the limited duration of the pilot phase, the interest earned on the fiduciary accounts and other revenues resulting from the Union contribution, such as guarantee premiums, interest and risk margins on sums disbursed by the EIB, shall be added to the resources of the fiduciary account. However, the Commission may decide, in accordance with the procedure referred to in Article 46(2), that they are to be returned to the CIP ICT budget line.

(d) Use of the Union contribution

The Union contribution shall be used by the EIB:

1. towards risk provisioning on a first-loss basis for the subordinated facilities of the eligible project portfolio, in accordance with the relevant rules of the EIB and a risk assessment performed by the EIB under its applicable policies;
2. to cover any non-project-related eligible costs associated with the establishment and administration of the risk-sharing instrument for project bonds, including its evaluation.

(e) Risk and revenue sharing

The risk-sharing pattern resulting from point (d) shall be reflected in an appropriate sharing between the Union and the EIB of the risk remuneration charged by the EIB to its counterpart in respect of each facility within the project portfolio.

(f) Pricing

The pricing of the project bond facilities is based upon the risk remuneration in accordance with relevant standard rules and criteria of the EIB.

(g) Application procedure

Applications for risk coverage under the risk-sharing instrument for project bonds shall be addressed to the EIB in accordance with the EIB's standard application procedure.

(h) Approval procedure

The EIB shall carry out risk, financial, technical and legal due diligence and shall decide upon the use of the risk-sharing instrument for project bonds and select the appropriate type of subordinated facility in accordance with its standard rules and criteria, notably EIB Credit Risk Policy Guidelines, and the EIB's selection criteria in the social, environmental and climate field.

(i) Duration

1. The Union contribution to the risk-sharing instrument for project bonds shall be committed no later than 31 December 2013. The actual approval of project bond facilities by the EIB's Board of Directors shall be finalised by 31 December 2014.
2. In the event of termination of the risk-sharing instrument for project bonds during the current multiannual financial framework, any balances on the fiduciary account, other than funds committed and funds needed to cover other eligible costs and expenses, shall be returned to the CIP ICT budget line.
3. Funds allocated to the risk-sharing instrument for project bonds shall be reimbursed to the relevant fiduciary account as facilities expire or are repaid, provided risk coverage remains sufficient.

(j) Reporting

Annual reporting methods on the implementation of the risk-sharing instrument for project bonds shall be agreed between the Commission and the EIB.

In addition, the Commission shall, with the support of the EIB, report on implementation every six months to the European Parliament and the Council, starting six months after the signature of the cooperation agreement referred to in Article 31(2c).

(k) Monitoring, control and evaluation

The Commission shall monitor the implementation of the instrument, including through on-the-spot controls as appropriate, and shall perform verification and controls in line with Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities (*).

The EIB shall manage subordinated facilities in accordance with EIB's own rules and procedures, including appropriate audit, control and monitoring measures. Furthermore, the EIB's Board of Directors, on which the Commission and Member States are represented, shall approve each subordinated facility and monitor that the EIB is managed in accordance with its Statute and with the general directives laid down by its Board of Governors.

The Commission and the EIB shall submit an interim report on the functioning of the pilot risk-sharing instrument for project bonds to the European Parliament and the Council in the second half of 2013 with a view to optimising the design of that instrument.

A full-scale independent evaluation shall be undertaken in 2015 after approval of the final project bond operations. It shall cover, *inter alia*, the value added, additionality compared to other Union or Member State instruments and other existing forms of long-term debt financing, the achieved multiplier effect, an assessment of the risks involved as well as the creation or correction of distortive effects, if any. The evaluation shall also cover the impact on projects' financial viability, volume, terms and costs of bond issuance, the effect on the wider bond markets as well as controlling creditor and procurement aspects. It shall also provide, if possible, a cost comparison with alternative means of project finance including bank loans. During the pilot phase, each selected project shall be assessed.

(*) OJ L 248, 16.9.2002, p. 1.

Article 2

Amendments to Regulation (EC) No 680/2007

Regulation (EC) No 680/2007 is hereby amended as follows:

(1) in Article 2 the following points are added:

'(14) The "risk-sharing instrument for project bonds" means a joint instrument by the Commission and the EIB which provides added value as a Union intervention, addresses sub-optimal investment situation when projects do not receive adequate financing from the markets, and provides additionality, by complementing or attracting financing by Member States or the private sector. It avoids distortion of competition, aims to secure a multiplier effect and aligns interests. The risk-sharing instrument for project bonds takes the form of a credit enhancement to projects of common interest, mitigates the debt service risk of a project and the credit risk of bond holders and is used only for projects whose financial viability is based on project revenues.

(15) "Credit enhancement" means the improvement of the credit quality of a project debt by means of a subordinated facility in the form of an EIB debt instrument or of an EIB guarantee or both, supported by a contribution from the Union budget.;

(2) in the first paragraph of Article 4 the following sentence is added:

'Applications for risk coverage under the risk-sharing instrument for project bonds under Article 6(1)(g) shall be addressed to the EIB in accordance with the EIB's standard application procedure.;

(3) Article 6(1) is amended as follows:

(a) in point (d), the following sentence is added:

'In 2012 and 2013, an amount of up to EUR 200 million may be redeployed for the pilot phase of the risk-sharing instrument for project bonds in the transport sector.;

(b) the following point is added:

'(g) during a pilot phase in 2012 and 2013, a financial contribution to the EIB towards the provisioning and capital allocation for debt instruments or guarantees to be issued by the EIB from its own resources under the risk-sharing instrument for project bonds in the field of TEN-T and TEN-E. The Union exposure to the risk-sharing instrument, including management fees and other eligible costs, shall in no case exceed the amount of the Union contribution to the risk-sharing instrument for project bonds, *nor* extend beyond the maturity of the portfolio of underlying credit enhancement facilities. There shall be no further liability on the general budget of the Union. The residual risk related to these project bond operations shall always be borne by the EIB.

The main terms, conditions and procedures of the risk-sharing instrument for project bonds are laid down in Annex Ia. The detailed terms and conditions for implementing the risk-sharing instrument for project bonds, including risk-sharing, remuneration, monitoring and control, shall be laid down in a cooperation agreement between the Commission and the EIB. This cooperation agreement shall be approved by the Commission and the EIB according to their respective procedures.

In 2012 and 2013, an amount of up to EUR 210 million, of which up to EUR 200 million for transport projects and up to EUR 10 million for energy projects, may be redeployed for the risk-sharing instrument for project bonds in accordance with the procedure referred to in Article 15(2) from the budget lines for the loan guarantee instrument for TEN-T projects, referred to in Annex I, and for TEN-E respectively.

In addition to the reporting requirements set out in point 49 of the Interinstitutional Agreement of 17 May 2006 on budgetary discipline and sound financial management, and without prejudice to any other regulatory reporting requirements, the Commission shall report to the European

Parliament and the Council every six months during the pilot phase on the performance of the risk-sharing instrument, including the financial terms and placement of any project bonds issued.

Given the limited duration of the pilot phase, interest and other revenue generated by the risk-sharing instrument for project bonds which is received before 31 December 2013 may be reused for new debt instruments and guarantees within the same risk-sharing facility and for projects fulfilling the same eligibility criteria in order to maximise the volume of investments supported. If the risk-sharing instrument for project bonds is not extended into the next financial framework, any remaining funds shall be returned to the revenue side of the general budget of the Union.’;

(4) in Article 16, the following paragraph is added:

‘2a. Without prejudice to paragraphs 1 and 2, for projects carried out under the risk-sharing instrument for project bonds referred to in Article 6(1)(g), the Commission and the EIB shall submit an interim report to the European Parliament and the Council in the second half of 2013. An independent full-scale evaluation shall be carried out in 2015.

On the basis of that evaluation, the Commission shall assess the relevance of the Europe 2020 Project Bond Initiative and its effectiveness in increasing the volume of investments in priority projects and enhancing the efficiency of Union spending. In the light of that assessment, taking into account all options, the Commission shall consider proposing appropriate regulatory changes, including legislative changes, in particular if the predicted market uptake is not satisfactory or in the event that alternative sources of long-term debt financing become sufficiently available.’;

(5) in Article 17(1), the following subparagraph is added:

‘The interim report referred to in Article 16(2a) shall also contain a list of the projects which have benefited from the risk-sharing instrument for project bonds referred to in Article 6(1)(g), with information on the terms of the bonds issued and the types of current and potential future investors.’;

(6) the Annex is renumbered Annex I and the words ‘the Annex’ in Article 6(1)(d) are accordingly replaced with ‘Annex I’;

(7) the following Annex is added:

‘ANNEX Ia

Main terms, conditions and procedures of the risk-sharing instrument for project bonds referred to in Article 6(1)(g)

The EIB shall be a risk-sharing partner and shall manage the Union contribution to the risk-sharing instrument for project bonds on behalf of the Union. More detailed terms and conditions for implementing that instrument, including its monitoring and control, shall be laid down in a cooperation agreement between the Commission and the EIB, taking into account the provisions laid down in this Annex.

(a) The EIB facility

1. The risk-sharing instrument for project bonds will be designed for each eligible project as a subordinated facility, in the form of a debt instrument or a contingent (guarantee) facility or both, in order to facilitate the issue of a project bond.
2. Should the EIB be or become a creditor to a project, the EIB’s rights under the risk-sharing instrument for project bonds shall rank behind the debt service of the senior debt and ahead of equity and any financing related to equity.
3. The facility shall not exceed 20 % of the total amount of the senior debt issued.

(b) Budget

TEN-T:

— 2012: Up to EUR 100 million

— 2013: Up to the cumulated amount of EUR 200 million

to be reallocated from the TEN-T budget dedicated to the loan guarantee instrument for TEN-T projects, referred to in Annex I, but unspent.

TEN-E:

2013: Up to EUR 10 million.

The request for transfer of the 2012 amount shall be issued without undue delay following the signature of the cooperation agreement.

The transfer requests in subsequent years shall be issued by 31 December of the preceding year.

In all cases the transfer request shall be supported by a forecast of the need for the scheduled Union contribution.

If necessary, that forecast may serve as the basis for a demand-based reduction of the amounts which shall be decided in accordance with the procedure referred to in Article 15(2).

(c) Fiduciary account

1. The EIB shall set up two fiduciary accounts (one for projects under TEN-T, the other for projects under TEN-E) to hold the Union contributions and revenues resulting from the Union contributions. The fiduciary account for TEN-T may be merged with the fiduciary account set up for the loan guarantee instrument for TEN-T projects, referred to in Annex I, provided such measure does not impede the quality of reporting and monitoring as stipulated under points (j) and (k).
2. Given the limited duration of the pilot phase, the interest earned on the fiduciary accounts and other revenues resulting from the Union contribution, such as guarantee premiums, interest and risk margins on sums disbursed by the EIB, shall be added to the resources of the fiduciary account. However, the Commission may decide, in accordance with the procedure referred to in Article 15(2), that they are to be returned to the TEN-T or TEN-E budget lines.

(d) Use of the Union contribution

The Union contribution shall be used by the EIB:

1. towards risk provisioning on a first-loss basis for the subordinated facilities of the eligible project portfolio, in accordance with the relevant rules of the EIB and a risk assessment performed by the EIB under its applicable policies;
2. to cover any non-project-related eligible costs associated with the establishment and administration of the risk-sharing instrument for project bonds including its evaluation.

(e) Risk and revenue sharing

The risk-sharing pattern resulting from point (d) shall be reflected in an appropriate sharing between the Union and the EIB of the risk remuneration charged by the EIB to its counterpart in respect of each facility constituting the portfolio.

Notwithstanding the provisions applying to risk sharing for the loan guarantee instrument for TEN-T projects, referred to in Annex I, the risk-sharing pattern for project bonds shall also apply to that instrument including the operations of its existing portfolio.

(f) Pricing

The pricing of the project bond facilities is based upon the risk remuneration in accordance with relevant standard rules and criteria of the EIB.

(g) Application procedure

Applications for risk coverage under the risk-sharing instrument for project bonds shall be addressed to the EIB in accordance with the EIB's standard application procedure.

(h) Approval procedure

The EIB shall carry out risk, financial, technical and legal due diligence and shall decide upon the use of the risk-sharing instrument for project bonds and select the appropriate type of subordinated facility in accordance with its standard rules and criteria, notably EIB Credit Risk Policy Guidelines, and the EIB's selection criteria in the social, environmental and climate field.

(i) Duration

1. The last tranche of the Union contribution to the risk-sharing instrument for project bonds shall be committed no later than 31 December 2013. The actual approval of project bond facilities by the EIB's Board of Directors shall be finalised no later than 31 December 2014.
2. In the event of termination of the risk-sharing instrument for project bonds during the current multiannual financial framework any balances on the fiduciary accounts, other than funds committed and funds needed to cover other eligible costs and expenses, shall be returned to the TEN-T, TEN-E budget lines.

3. Funds allocated to the risk-sharing instrument for project bonds shall be reimbursed to the relevant fiduciary account as facilities expire or are repaid provided risk coverage remains sufficient.

(j) Reporting

Annual reporting methods on the implementation of the risk-sharing instrument for project bonds shall be agreed between the Commission and the EIB.

In addition, the Commission shall, with the support of the EIB, report on implementation every six months to the European Parliament and the Council, starting six months after the signature of the cooperation agreement referred to in Article 6(1)(g).

(k) Monitoring, control and evaluation

The Commission shall monitor the implementation of the instrument, including through on-the-spot controls as appropriate, and shall perform verification and controls in line with Regulation (EC, Euratom) No 1605/2002.

The EIB shall manage subordinated facilities in accordance with EIB's own rules and procedures, including appropriate audit, control and monitoring measures. Furthermore, the EIB's Board of Directors, on which the Commission and Member States are represented, shall approve each subordinated facility and monitor that the EIB is managed in accordance with its Statute and with the general directives laid down by its Board of Governors.

The Commission and the EIB shall submit an interim report on the functioning of the pilot risk-sharing instrument for project bonds to the European Parliament and the Council in the second half of 2013 with a view to optimising the design of that instrument.

A full-scale independent evaluation shall be undertaken in 2015 after approval of the final project bond operations. It shall cover, inter alia, the value added, additionality compared to other Union or Member State instruments and other existing forms of long-term debt financing, the achieved multiplier effect, an assessment of the risks involved as well as the creation or correction of distortive effects, if any. The evaluation shall also cover the impact on projects' financial viability, volume, terms and costs of bond issuance, the effect on the wider bond markets as well as controlling creditor and procurement aspects. It shall also provide, if possible, a cost comparison with alternative means of project finance including bank loans. During the pilot phase, each selected project shall be assessed.

Article 3

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 11 July 2012.

For the European Parliament
The President
M. SCHULZ

For the Council
The President
A. D. MAVROYIANNIS

Statement by the Commission

Under point 49 of the Interinstitutional Agreement on budgetary discipline and sound financial management, the Commission reports to the budgetary authority once a year on the financial instruments. The 2012 report will also include the EU-EIB Project Bond Initiative.

Against this background and considering the short-lived nature of the project bond pilot phase, the Commission wishes to clarify that the expression 'report every six months during the pilot phase' used in recital 14, in Article 1(3)(b), Article 1(4), Article 2(3)(b) and Article 2(7), is that the Commission will inform Council and Parliament by appearing before either institution with suitable support material rather than completing an official Commission report, which would require disproportionate effort compared to the limited scope of the pilot phase.

REGULATION (EU) No 671/2012 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
of 11 July 2012

amending Council Regulation (EC) No 73/2009 as regards the application of direct payments to farmers in respect of the year 2013

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular the first paragraph of Article 42 and Article 43(2) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee ⁽¹⁾,

Having regard to the opinion of the Committee of the Regions ⁽²⁾,

Acting in accordance with the ordinary legislative procedure ⁽³⁾,

Whereas:

- (1) New support schemes for farmers within the framework of the common agricultural policy are to apply from 1 January 2014 and are to replace the current schemes. Council Regulation (EC) No 73/2009 of 19 January 2009 establishing common rules for direct support schemes for farmers under the common agricultural policy and establishing certain support schemes for farmers ⁽⁴⁾ should continue to form the basis on which to grant income support for farmers in calendar year 2013.
- (2) Regulation (EC) No 73/2009 established a system of compulsory, progressive reduction of direct payments ('modulation') including an exemption of direct payments of up to EUR 5 000 which is to apply until calendar year 2012. As a consequence, the total net amounts of direct payments ('net ceilings') which may be granted in a Member State, after the application of modulation, have been fixed until calendar year 2012. In order to maintain the amount of direct payments in calendar year 2013 on a level similar to that of 2012, with due account being taken of phasing-in in the new Member States, within the meaning of Regulation (EC) No 73/2009, it is appropriate to establish an adjustment mechanism for calendar year 2013 with an effect equivalent to that of modulation and the net ceilings.

Due to the special characteristics of the support in the outermost regions under the common agricultural policy, this adjustment mechanism should not be applied to farmers in those regions.

- (3) For the smooth functioning of the direct payments to be made by the Member States in respect of applications made in calendar year 2013, it is necessary to extend the net ceilings set for calendar year 2012 to 2013 and to adjust them, where necessary, in particular as regards the increases resulting from the phasing-in of direct payments in the new Member States.
- (4) In parallel with compulsory modulation, Council Regulation (EC) No 378/2007 of 27 March 2007 laying down rules for voluntary modulation of direct payments provided for in Regulation (EC) No 1782/2003 establishing common rules for direct support schemes under the common agricultural policy and establishing certain support schemes for farmers ⁽⁵⁾ made it possible for Member States to apply a reduction ('voluntary modulation') to all amounts of direct payments to be granted in their territory in respect of a given calendar year until calendar year 2012. In order to maintain the amount of direct payments to be made in respect of applications made in calendar year 2013 on a level similar to that of 2012, Member States which made use of voluntary modulation in respect of calendar year 2012 should continue to have the possibility to reduce direct payments in respect of calendar year 2013 and to use the funds generated thereby to finance rural development programmes. Therefore, it is appropriate to provide for the possibility to further reduce the amount of direct payments by applying a system of voluntary adjustment of direct payments in respect of calendar year 2013. Such reduction should be in addition to the compulsory adjustment of direct payment foreseen in respect of calendar year 2013.
- (5) Where a Member State has applied regionally differentiated voluntary modulation rates in respect of calendar year 2012, it should also have that possibility in respect of calendar year 2013. In order to safeguard the level of direct support to farmers, the combined application of the compulsory and voluntary adjustment of direct payments in calendar year 2013 should not lead to a reduction of direct payment in excess of the reductions applied in 2012, through both compulsory and voluntary modulation. Therefore, the maximum rate of adjustment of direct payments to be applied in respect of calendar year 2013 in each region should not exceed the reductions resulting from both compulsory and voluntary modulation, as applied in respect of calendar year 2012.

⁽¹⁾ OJ C 191, 29.6.2012, p. 116.

⁽²⁾ Opinion of 4 May 2012 (not yet published in the Official Journal).

⁽³⁾ Position of the European Parliament of 4 July 2012 (not yet published in the Official Journal) and decision of the Council of 10 July 2012.

⁽⁴⁾ OJ L 30, 31.1.2009, p. 16.

⁽⁵⁾ OJ L 95, 5.4.2007, p. 1.

- (6) Where a Member State made use of the option provided for in Article 4(2) of Regulation (EC) No 378/2007 by deciding not to apply the maximum rate for the contribution from the European Agricultural Fund for Rural Development (EAFRD) to the net amounts resulting from the application of voluntary modulation in the programming period 2007 to 2013, the same option should be made available to that Member State in respect of the funds raised through the voluntary adjustment of direct payments, in order to ensure continuity in the financing of public expenditure of the rural development measures in 2014. For reasons of consistency, the prefinancing arrangements for the rural development programmes should not apply to such funds.
- (7) According to the phasing-in mechanism provided for in the Act of Accession of 2005, the level of direct payments in Bulgaria and Romania continues to be below the level of direct payments applicable in the other Member States in 2013 after application of the adjustment of payments to farmers in the transitional period. Therefore, the adjustment mechanism should not apply to farmers in Bulgaria and Romania.
- (8) The new Member States were allowed to grant complementary national direct payments as a consequence of the phasing-in of direct payments in those Member States. Such possibility will no longer be available in 2013, when the schedule for the gradual introduction of direct payments in the new Member States will be complete. In the new Member States applying the single area payment scheme, the complementary national direct payments have played an important role in supporting the income of farmers in specific sectors. As regards Cyprus, the same can be said of State aids. For that reason, and in order to avoid a sudden and substantial decrease of support in 2013 in those sectors benefiting, until 2012, from complementary national direct payments and, in the case of Cyprus, from State aids, it is appropriate to provide, in those Member States, for the possibility to grant, subject to authorisation by the Commission, transitional national aids to farmers in 2013. In order to ensure the continuity of the level of support to farmers in 2013, only those sectors that benefited, in 2012, from complementary national direct payments and, in the case of Cyprus, from State aids should be eligible for the transitional national aid, and if that transitional aid is granted, it should be granted under the same conditions as the ones applied to those payments in 2012.
- (9) The financial transfers to the EAFRD provided for in Articles 134 and 135 of Regulation (EC) No 73/2009 relate to the 2007-13 multiannual financial framework. The direct payments to be made by the Member States in respect of applications made in calendar year 2013 will have effects in financial year 2014, thereby falling under the next multiannual financial framework. Under that framework, the amounts available for rural development programming already include the amounts corresponding to the financial transfers provided for in Articles 134 and 135 of Regulation (EC) No 73/2009. Therefore, such financial transfers should be abolished.
- (10) In order to facilitate the more efficient use of the funds, Regulation (EC) No 73/2009 provided for the possibility for Member States to grant support above their national ceilings up to an amount the level of which ensures that it remains within the margins of the under-execution of the national ceiling. That Regulation provided for those amounts either to be used for the funding of specific support or to be transferred to the EAFRD under Article 136 of Regulation (EC) No 73/2009. As the possibility to grant support above the national ceilings will be abolished when the new direct support system becomes applicable, the financial transfer to the EAFRD provided for in Article 136 of Regulation (EC) No 73/2009 should be maintained only until 31 December 2013.
- (11) The possibility to make the amounts resulting from the application of voluntary adjustment available as an additional Union support under rural development programming and financing under EAFRD for financial year 2014 and the prolongation of the financial transfers provided for in Article 136 of Regulation (EC) No 73/2009 should not affect the future adjustment of the level of direct payments with a view to a more equal distribution of direct support among Member States which is foreseen to be part of the new direct support system.
- (12) In the context of respecting budget discipline, it is necessary to define, for the financial year 2014, the ceiling for the expenditure financed by the EAGF, by taking into account the maximum amounts set in the Regulation laying down the multiannual financial framework adopted by the Council pursuant to Article 312(2) of the Treaty and the amounts resulting from the voluntary adjustment, along with the amounts resulting from the application of Article 136 of Regulation (EC) No 73/2009 for that financial year.
- (13) In order to ensure the correct application of the adjustments of direct payments to be made by the Member States in respect of applications made in 2013 and financial discipline for calendar year 2013, the power to adopt acts in accordance with Article 290 of the Treaty should be delegated to the Commission in respect of the relevant rules concerning the basis of calculation for reductions to be applied to the farmers by the Member States. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing up delegated acts, should ensure a simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.

- (14) Under Regulation (EC) No 73/2009, Member States had the possibility to decide to use, from the following year, a certain percentage of their national ceiling for specific support for their farmers as well as to review a previous decision by deciding to modify, or put an end to, such support. It is appropriate to provide for an additional review of those decisions with effect for calendar year 2013.
- (15) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission as regards the presentation of the amounts resulting from the voluntary adjustment. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers⁽¹⁾.
- (16) In respect of fixing the amounts resulting from voluntary adjustment, setting the net balance available for EAGF expenditure in respect of financial year 2014 and authorising the granting of transitional national aids, the Commission should be empowered to adopt implementing acts without applying Regulation (EU) No 182/2011.
- (17) Regulation (EC) No 73/2009 should therefore be amended accordingly,

HAVE ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 73/2009 is hereby amended as follows:

- (1) Article 8 is amended as follows:

- (a) paragraph 1 is replaced by the following:

'1. Without prejudice to Article 11 of this Regulation, the total net amounts of direct payments which may be granted in a Member State in respect of any calendar year before 2013 after application of Articles 7 and 10 of this Regulation and Article 1 of Regulation (EC) No 378/2007 or in calendar year 2013 after application of Articles 10a and 10b of this Regulation, and with the exception of direct payments granted under Regulations (EC) No 247/2006 and (EC) No 1405/2006, shall not be higher than the ceilings set out in Annex IV to this Regulation. Where necessary, Member States shall make a linear reduction in the amounts of direct payments which are subject to the reduction provided for in Articles 7 and 10 of this Regulation and Article 1 of Regulation (EC) No 378/2007 in respect of any calendar year before 2013 or in Articles 10a and 10b of this Regulation in respect of

calendar year 2013, in order to comply with the ceilings set out in Annex IV to this Regulation.';

- (b) in paragraph 2, point (d) is deleted;

- (2) the following Articles are inserted:

'Article 10a

Adjustment of direct payments in 2013

1. Any amount of direct payments to be granted in calendar year 2013 to a farmer in excess of EUR 5 000 shall be reduced by 10 %.
2. The reduction provided for in paragraph 1 shall be increased by four percentage points for amounts exceeding EUR 300 000.
3. Paragraphs 1 and 2 shall not apply to direct payments granted to farmers in Bulgaria and in Romania and in the French overseas departments, in the Azores and Madeira, in the Canary Islands and in the Aegean Islands.
4. By way of derogation from paragraph 1, the reduction referred to in that paragraph shall be set at 0 % for new Member States other than Bulgaria and Romania.

Article 10b

Voluntary adjustment of direct payments in 2013

1. Any Member State having applied Article 1 of Regulation (EC) No 378/2007 in respect of calendar year 2012 may apply a reduction (hereinafter referred to as 'voluntary adjustment') to all amounts of direct payments to be granted in its territory in respect of calendar year 2013. Voluntary adjustment shall be applied in addition to the adjustment of direct payments provided for in Article 10a of this Regulation.

Voluntary adjustment may be regionally differentiated, provided that the Member State has made use of the option provided for in Article 3(1)(b) of Regulation (EC) No 378/2007.

2. The maximum rate of reduction resulting from the combined application of Article 10a and paragraph 1 of this Article shall not exceed the percentage rate of reduction resulting from the combined application of Article 7 of this Regulation and Article 1(1) of Regulation (EC) No 378/2007 as applied to the amounts to be granted to farmers in respect of calendar year 2012 in the regions concerned.
3. The amounts resulting from the application of voluntary adjustment shall not exceed the net amounts fixed by the Commission for calendar year 2012 pursuant to Article 4(1) of Regulation (EC) No 378/2007.

⁽¹⁾ OJ L 55, 28.2.2011, p. 13.

4. The amounts resulting from the application of voluntary adjustment shall be available, in the Member State where they were generated, as Union support under rural development programming and financing by the EAFRD.

5. By 8 October 2012 Member States shall decide on, and communicate to the Commission, the following:

- (a) the rate of voluntary adjustment for the whole territory and, where applicable, for each region;
- (b) the total amount to be reduced under voluntary adjustment for the whole territory and, where applicable, for each region.

Article 10c

Amounts resulting from voluntary adjustment and from application of Article 136

1. Based on the amounts communicated by the Member States pursuant to Article 10b(5), the Commission shall adopt implementing acts, without applying the procedure referred to in Article 141(2) or 141b(2), fixing the amounts resulting from voluntary adjustment.

2. The amounts fixed pursuant to paragraph 1, as well as the amounts resulting from the application of Article 136 for financial year 2014, shall be added to the annual breakdown by Member State of the EAFRD contribution to the rural development programmes.

3. Member States may decide to exceed the maximum EAFRD contribution rate as regards the amounts added to the annual breakdown by Member State referred to in paragraph 2.

The amounts added to the annual breakdown by Member State referred to in paragraph 2 shall not be subject to the payment of the single prefinancing amount for the rural development programmes.

4. The Commission shall adopt implementing acts laying down rules for the presentation of the amounts referred to in paragraph 2 in the financing plans of the rural development programmes. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 141b(2).

Article 10d

EAGF net ceiling

1. The ceiling for EAGF expenditure in respect of financial year 2014 shall be calculated as the maximum amounts set for it by the Regulation adopted by the Council pursuant to Article 312(2) of the Treaty on the Functioning of the European Union minus the amounts referred to in Article 10c(2) of this Regulation.

2. The Commission shall adopt implementing acts, without applying the procedure referred to in Article 141(2) or 141b(2), setting the net balance

available for EAGF expenditure in respect of financial year 2014 on the basis of the data referred to in paragraph 1.;

(3) in Article 11(1), the following subparagraph is added:

'However, in financial year 2014, the adjustment referred to in the first subparagraph shall be determined taking into account the forecasts for the financing of direct payments and market related expenditure of the CAP laid down in the Regulation adopted by the Council pursuant to Article 312(2) of the Treaty on the Functioning of the European Union, increased by the amounts referred to in Article 10b of this Regulation and the amounts resulting from the application of Article 136 thereof for financial year 2014, before the adjustment of direct payments provided for in Article 10a of this Regulation, but without taking into account the margin of EUR 300 000 000.;

(4) in Article 11, paragraph 2 is replaced by the following:

'2. The European Parliament and the Council, acting in accordance with the ordinary legislative procedure on a proposal from the Commission presented no later than 31 March of the calendar year in respect of which the adjustments referred to in paragraph 1 apply, shall determine these adjustments no later than 30 June of the same calendar year.;

(5) the following Article is inserted:

'Article 11a

Delegation of powers

In order to ensure an optimal application of the adjustments of direct payments in 2013 and financial discipline for calendar year 2013, the Commission shall be empowered to adopt delegated acts, in accordance with Article 141a, laying down rules concerning the basis of calculation for reductions to be applied to farmers by Member States due to the adjustments of payments in 2013 provided for in Article 10a and financial discipline provided for in Article 11.;

(6) in Article 68(8), the introductory phrase is replaced by the following:

'8. By 1 September 2012, the Member States that took the decision referred to in Article 69(1) may review it and decide, with effect from 2013, to:;

(7) Article 69(1) is replaced by the following:

'1. Member States may decide, by 1 August 2009, 1 August 2010, 1 August 2011 or by 1 September 2012, to use, from the year following such decision, up to 10 % of their national ceiling referred to in Article 40, or, in the case of Malta, the amount of EUR 2 000 000 for the specific support provided for in Article 68(1).;

(8) Article 131(1) is replaced by the following:

‘1. The new Member States applying the single area payment scheme may decide, by 1 August 2009, 1 August 2010, 1 August 2011 or by 1 September 2012, to use, from the year following that decision, up to 10 % of their national ceilings referred to in Article 40 to grant support to farmers as set out in Article 68(1) and in accordance with Chapter 5 of Title III, as applicable to them.’;

(9) the following Article is inserted:

‘Article 133a

Transitional national aid

1. With the exception of Bulgaria and Romania, the new Member States applying the single area payment scheme shall have the possibility to grant transitional national aid in 2013.

Except in the case of Cyprus, the granting of such aid shall be subject to authorisation by the Commission, to be granted in accordance with paragraph 5.

2. The transitional national aid may be granted to farmers in sectors in respect of which complementary national direct payments and, in the case of Cyprus, State aids have been authorised in 2012 pursuant to Articles 132 and 133.

3. The conditions for granting the aid shall be identical to those authorised for the granting of payments pursuant to Articles 132 and 133 in respect of 2012.

4. The total amount of aid that may be granted to farmers in any of the sectors referred to in paragraph 2 shall be limited by a specific financial envelope per sector, which shall be equal to the difference between:

- (a) the total direct support which may be granted to farmers in the relevant sector in 2012, including all payments received pursuant to Article 132; and
- (b) the total amount of direct support that would be available for the same sector under the single area payment scheme in 2013.

For Cyprus, the sector specific financial envelopes are set out in Annex XVIIa.

5. On the basis of a notification submitted, the Commission shall adopt implementing acts, without applying the procedure referred to in Article 141(2) or 141b(2), authorising the transitional national aid and:

- (a) setting the financial envelope per sector;
- (b) setting the maximum rate of transitional national aid where appropriate;
- (c) setting the conditions for the granting thereof; and
- (d) defining the applicable exchange rate to be used for the payments.

6. The new Member States may decide, on the basis of objective criteria and within the limits authorised by the Commission pursuant to paragraph 5, on the amounts of transitional national aid to be granted.’;

(10) Articles 134 and 135 are deleted;

(11) Article 136 is deleted;

(12) Article 139 is replaced by the following:

‘Article 139

State aid

By way of derogation from Article 180 of Regulation (EC) No 1234/2007 and Article 3 of Council Regulation (EC) No 1184/2006 of 24 July 2006 applying certain rules of competition to the production of, and trade in, agricultural products (*), Articles 107, 108 and 109 of the Treaty on the Functioning of the European Union shall not apply to payments made under Articles 41, 57, 64, 68, 69, 70 and 71, Article 82(2), Article 86, Articles 98(4) and 111(5), Article 120, Article 129(3) and Articles 131, 132, 133 and 133a of this Regulation by Member States in conformity with this Regulation.

(*) OJ L 214, 4.8.2006, p. 7.’;

(13) the following Articles are inserted:

‘Article 141a

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Article 11a shall be conferred on the Commission for a period from 1 September 2012 until 31 December 2013.

3. The delegation of power referred to in Article 11a may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

5. A delegated act adopted pursuant to Article 11a shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Article 141b

Committee procedure

1. The Commission shall be assisted by the Rural Development Committee established by Council Regulation (EC) No 1698/2005. That committee is a committee within the meaning of Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers (*).

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

(*) OJ L 55, 28.2.2011, p. 13.;

(14) in Annex IV, the following column is added:

'2013
569
903
964,3
5 329,6
101,2
1 255,5
2 344,5
5 055,2
7 853,1
4 128,3
53,5
146,4
379,8
34,7
1 313,1
5,5
830,6
715,7
3 043,4
566,6
144,3
385,6
539,2
708,5
3 650'

(15) the following Annex is inserted:

'ANNEX XVIIIa

TRANSITIONAL NATIONAL AID IN CYPRUS

(EUR)	
Sector	2013
Cereals (durum wheat excluded)	141 439
Durum wheat	905 191
Milk and dairy	3 419 585
Beef	4 608 945
Sheep and goats	10 572 527
Pig sector	170 788
Poultry and eggs	71 399
Wine	269 250
Olive oil	3 949 554
Table grapes	66 181
Dried grapes	129 404
Processed tomatoes	7 341
Bananas	4 285 696
Tobacco	1 027 775
Deciduous fruit including stone fruit	173 390
Total	29 798 462'

Article 2

This Regulation shall enter into force on the seventh day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2013.

By way of derogation from the second paragraph:

(a) the following provisions shall apply from the date of entry into force of this Regulation:

(i) Article 10b(5), Article 10c(1) and (4) and Article 10d(2) of Regulation (EC) No 73/2009, as inserted by point (2) of Article 1 of this Regulation;

(ii) Article 133a(5) and (6) of Regulation (EC) No 73/2009, as inserted by point (9) of Article 1 of this Regulation;

(iii) points (5), (6), (7), (8) and (13) of Article 1 of this Regulation;

(b) points (1)(b) and (11) of Article 1 of this Regulation shall apply from 1 January 2014.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 11 July 2012.

For the European Parliament
The President
M. SCHULZ

For the Council
The President
A. D. MAVROYIANNIS

II

(Non-legislative acts)

INTERNATIONAL AGREEMENTS

COUNCIL DECISION

of 21 December 2011

on the signing, on behalf of the European Union, and provisional application of certain provisions of the Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Iraq, of the other part

(2012/418/EU)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 79(3), Articles 91 and 100, Article 192(1), Articles 194, 207 and 209 in conjunction with Article 218(5) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) On 23 March 2006, the Council authorised the Commission to negotiate a Trade and Cooperation Agreement with the Republic of Iraq.
- (2) On 27 October 2009, the Council authorised modifications to the negotiation directives, on a proposal by the Commission, in order to enhance the status of the Agreement by replacing the term 'Trade' with the term 'Partnership' in the title and by establishing a Cooperation Council at ministerial level.
- (3) The Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Iraq, of the other part ('the Agreement') should be signed. Certain parts of the Agreement should be applied provisionally, pending the completion of the procedures for its conclusion.
- (4) The provisions of the Agreement that fall within the scope of Part Three, Title V of the Treaty on the Functioning of the European Union bind the United Kingdom and Ireland as separate Contracting Parties, and not as part of the European Union, unless the European Union together with the UK and/or Ireland have jointly notified Iraq that the United Kingdom or Ireland is bound as part of the European Union in accordance with Protocol No 21 on the position of the United Kingdom and Ireland in

respect of the area of Freedom, Security and Justice annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union. If the United Kingdom and/or Ireland ceases to be bound as part of the European Union in accordance with Article 4a of Protocol No 21, the European Union together with the UK and/or Ireland shall immediately inform Iraq of any change in their position in which case they shall remain bound by the provisions of the Agreement in their own right. The same applies to Denmark in accordance with Protocol No 22 on the position of Denmark, annexed to those Treaties,

HAS ADOPTED THIS DECISION:

Article 1

The signing of the Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Iraq, of the other part, is hereby authorised on behalf of the Union, subject to the conclusion of the said Agreement.

The text of the Agreement is attached to this Decision.

Article 2

The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement on behalf of the Union.

Article 3

Pending the completion of the necessary procedures for its entry into force, Article 2, and Titles II, III, and V of the Agreement shall be applied provisionally, in accordance with Article 117 of the Agreement only in so far as it concerns matters falling within the Union's competence, from the first day of the third month following the date on which the Union and Iraq have notified each other of the completion of the necessary procedures for provisional application.

Article 4

This Decision shall enter into force on the date of its adoption.

Done at Brussels, 21 December 2011.

For the Council
The President
M. DOWGIELEWICZ

PARTNERSHIP AND COOPERATION AGREEMENT

between the European Union and its Member States, of the one part, and the Republic of Iraq, of the other part

THE KINGDOM OF BELGIUM,

THE REPUBLIC OF BULGARIA,

THE CZECH REPUBLIC,

THE KINGDOM OF DENMARK,

THE FEDERAL REPUBLIC OF GERMANY,

THE REPUBLIC OF ESTONIA,

IRELAND,

THE HELLENIC REPUBLIC,

THE KINGDOM OF SPAIN,

THE FRENCH REPUBLIC,

THE ITALIAN REPUBLIC,

THE REPUBLIC OF CYPRUS,

THE REPUBLIC OF LATVIA,

THE REPUBLIC OF LITHUANIA,

THE GRAND DUCHY OF LUXEMBOURG,

THE REPUBLIC OF HUNGARY,

MALTA,

THE KINGDOM OF THE NETHERLANDS,

THE REPUBLIC OF AUSTRIA,

THE REPUBLIC OF POLAND,

THE PORTUGUESE REPUBLIC,

ROMANIA,

THE REPUBLIC OF SLOVENIA,

THE SLOVAK REPUBLIC,

THE REPUBLIC OF FINLAND,

THE KINGDOM OF SWEDEN,

THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND,

Contracting Parties to the Treaty on European Union and the Treaty on the Functioning of the European Union, hereinafter referred to as the 'Member States' and

THE EUROPEAN UNION, hereinafter referred to as 'the Union'

of the one part, and

THE REPUBLIC OF IRAQ, hereinafter referred to as 'Iraq'

of the other part,

hereinafter jointly referred to as 'the Parties',

CONSIDERING the links between the Union, its Member States and Iraq and the common values that they share,

RECOGNISING that the Union, its Member States and Iraq wish to strengthen those links and to establish trade and cooperation, supported by a political dialogue,

CONSIDERING the importance which the Parties attach to the purposes and principles of the Charter of the United Nations, the observance of human rights, democratic principles and political and economic freedoms, which form the very basis of the Partnership,

REAFFIRMING their attachment to the democratic principles and human rights and fundamental freedoms as laid down in the United Nations Universal Declaration on Human Rights and other relevant international human rights instruments,

ACKNOWLEDGING the great importance of sustainable and social development which should go hand in hand with economic development,

RECOGNISING the importance of enhancing cooperation between them, and their common will to consolidate, deepen and diversify their relations in areas of mutual interest on the basis of respect for sovereignty, equality, non-discrimination, the rule of law and good governance, respect for the natural environment and mutual benefit,

RECOGNISING the need to support Iraq's efforts to continue political reforms and economic rehabilitation and reforms, as well as in improving the living conditions of the poor and disadvantaged sections of the population,

RECOGNISING the need to strengthen women's role in political, civil, social, economic and cultural spheres, as well as to fight discrimination,

DESIROUS of creating favourable conditions for a substantial development and diversification of trade between the Union and Iraq and enhancing cooperation in economic, commercial, investment, science and technology and cultural fields,

AIMING to promote trade and investment and harmonious economic relations between the Parties based on the principles of market economy,

HAVING REGARD to the need to create favourable conditions for improving business and investment,

CONSCIOUS of the need to improve conditions affecting business and investment, and conditions in areas such as establishment of companies, labour, provision of services and capital movements,

TAKING into account the Parties' right to regulate the provision of services within their territories and to guarantee the achievement of legitimate public policy objectives,

TAKING into account their commitment to conduct trade in accordance with the Marrakesh Agreement Establishing the World Trade Organization, done on 15 April 1994 (hereinafter referred to as the 'WTO Agreement'), and in that respect their mutual interest in Iraq's accession to that Agreement,

RECOGNISING the specific needs of developing countries under the WTO,

RECOGNISING the fact that terrorism, organised crime, money laundering and drug trafficking represent serious threats to international stability and security as well as to the fulfilment of the objectives of their cooperation,

NOTING the importance of fostering and strengthening regional cooperation,

CONFIRMING that the provisions of this Agreement which fall within the scope of Title V of Part Three of the Treaty on the Functioning of the European Union, bind the United Kingdom and Ireland, as separate contracting parties, and not as part of the European Union, unless the European Union notifies Iraq that either State has become bound on these matters as part of the European Union in accordance with Protocol (No 21) on the position of the United Kingdom and Ireland in Respect of the Area of Freedom, Security and Justice annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union. The same applies to Denmark, in accordance with Protocol (No 22) on the position of Denmark annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union,

HAVE AGREED AS FOLLOWS:

Article 1

Establishment of Partnership

1. A partnership is hereby established between the Union and its Member States of the one part, and Iraq, of the other part.

2. The objectives of this Partnership are:

(a) to provide an appropriate framework for the political dialogue between the Parties allowing the development of political relations;

(b) to promote trade and investment and harmonious economic relations between the Parties and so to foster their sustainable economic development; and

(c) to provide a basis for legislative, economic, social, financial and cultural cooperation.

Article 2

Basis

Respect for democratic principles and human rights, as laid down in the Universal Declaration of Human Rights and other relevant international human rights instruments, as well as for the principle of the rule of law, underpins the internal and international policies of both Parties and constitutes an essential element of this Agreement.

TITLE I

POLITICAL DIALOGUE AND COOPERATION IN THE FIELD OF FOREIGN AND SECURITY POLICY

Article 3

Political dialogue

1. A regular political dialogue shall be established between the Parties. It shall strengthen their relations, contribute to the development of a partnership and increase mutual understanding and solidarity.

2. The political dialogue shall cover all subjects of common interest, and in particular peace, foreign and security policy, national dialogue and reconciliation, democracy, the rule of law, human rights, good governance and regional stability and integration.

3. The political dialogue shall take place on an annual basis at ministerial and at senior official level.

training, and by exchange of experiences in respect of terrorism prevention.

The Parties continue to be committed to reaching an agreement on the UN Comprehensive Convention on International Terrorism as soon as possible.

The Parties are deeply concerned about incitement of terrorist acts and emphasise their commitment to take all necessary and appropriate measures in accordance with international and national law, to reduce the threat posed by such incitement.

Article 5

Countering proliferation of weapons of mass destruction

The Parties consider that the proliferation of weapons of mass destruction (WMD) and their means of delivery, both to state and non-state actors, represents one of the most serious threats to international stability and security. The Parties therefore agree to cooperate and to contribute to countering the proliferation of WMD and their means of delivery through full compliance with and national implementation of their existing obligations under international disarmament and non-proliferation treaties and agreements and other relevant international obligations. The Parties agree that this provision constitutes an essential element of this agreement.

The Parties furthermore agree to cooperate and to contribute to countering the proliferation of WMD and their means of delivery by:

(a) in the framework of the full implementation of the UN Security Council Resolution 1373 (2001) and other relevant UN resolutions, the UN Counter-Terrorism Strategy, international conventions and instruments;

(b) by exchange of information on terrorist groups and their support networks in accordance with international and national law; and

(c) by exchanges of view on means and methods used to counter terrorism, including in technical fields and

(a) taking steps to sign, ratify, or accede to, as appropriate, and fully implement all other relevant international instruments;

(b) the establishment of an effective system of national export controls, controlling the export as well as transit of WMD related goods, including a WMD end-use control on dual-use technologies and containing effective sanctions for breaches of export controls.

The Parties agree to establish a regular political dialogue that will accompany and consolidate these elements.

Article 6

Small arms and light weapons

1. The Parties recognise that the illicit manufacture, transfer and circulation of small arms and light weapons (SALW), including their ammunition, and their excessive accumulation, poor management, inadequately secured stockpiles and uncontrolled spread continue to pose a serious threat to peace and international security.

2. The Parties agree to observe and fully implement their respective obligations to deal with the illicit trade in SALW, including their ammunition, under existing international agreements and UN Security Council resolutions, as well as their commitments within the framework of other international instruments applicable in this area, such as the UN Programme of Action to prevent, combat and eradicate the illicit trade in SALW in all its aspects.

3. The Parties undertake to cooperate and to ensure coordination, complementarity and synergy in their efforts to deal

with the illicit trade in SALW, including their ammunition, at global, regional, sub-regional and national levels and agree to establish regular political dialogue that will accompany and consolidate this undertaking.

Article 7

International Criminal Court

1. The Parties reaffirm that the most serious crimes of concern to the international community as a whole should not go unpunished and that their prosecution should be ensured by measures at either the domestic or international level.

2. The Parties recognise that Iraq is not yet a State Party to the Rome Statute of the International Criminal Court, but that Iraq is considering the possibility of acceding to it in the future. In so doing, Iraq will take steps to accede to, ratify and implement the Rome Statute and related instruments.

3. The Parties reaffirm their determination to cooperate on this issue, including by sharing experience in the adoption of legal adjustments required by the relevant international law.

TITLE II

TRADE AND INVESTMENTS

SECTION I

Trade in goods

Chapter I

General provisions

Article 8

Scope and Coverage

This Chapter shall apply to trade in goods between the Parties.

Article 9

Customs Duties

For the purpose of this Chapter, a 'customs duty' includes any duty or charge of any kind imposed on or in connection with the importation or exportation of a good, including any form of surtax or surcharge imposed on or in connection with such importation or exportation. A 'customs duty' does not include any:

- (a) charge equivalent to an internal tax imposed consistently with Article 11;
- (b) duty imposed consistently with Chapter II of Section 1 of Title II of this Agreement;
- (c) duty applied consistently with Articles VI, XVI and XIX of the General Agreement on Tariffs and Trade 1994 (hereinafter referred to as the 'GATT 1994'), the WTO

Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994, the WTO Agreement on Subsidies and Countervailing Measures, the WTO Agreement on Safeguards, Article 5 of the WTO Agreement on Agriculture or the WTO Understanding on Rules and Procedures Governing the Settlement of Disputes (hereinafter referred to as the 'DSU');

- (d) fee or other charge imposed pursuant to a Party's domestic law and consistently with Article VIII of the GATT 1994 and its Notes and Supplementary Provisions.

Article 10

MFN treatment

- 1. The Parties shall accord to one another most-favoured-nation treatment in accordance with Article I.1 of the GATT 1994 and its Notes and Supplementary Provisions.
- 2. The provisions of paragraph 1 shall not apply to:
 - (a) advantages granted with the object of establishing a customs union or a free-trade area according to the GATT 1994 or pursuant to the establishment of such customs union or free-trade area;
 - (b) advantages granted to particular countries in accordance with the GATT 1994 and with other international arrangements in favour of developing countries.

Article 11

National treatment

Each Party shall accord national treatment to the goods of the other Party in accordance with Article III of the GATT 1994, including its Notes and Supplementary Provisions. To this end, Article III of the GATT 1994 and its Notes and Supplementary Provisions are incorporated into and made part of this Agreement, *mutatis mutandis*.

Article 12

Tariff policy

1. Products originating in Iraq and imported into the Union shall be subject to the Union MFN tariff. No customs duties exceeding those applied to imports from WTO Members in accordance with Article I of the GATT 1994 shall be applied to products originating in Iraq and imported into the Union.

2. Products originating in the Union shall, on their importation into Iraq, not be subject to customs duties exceeding the current 8 % Reconstruction Levy on imported goods.

3. The Parties agree that until Iraq accedes to the WTO, the Parties may amend the level of customs duties on imports after mutual consultation between the Parties.

4. If, after the signature of this Agreement, any tariff reduction is applied by Iraq to imports on an *erga omnes* basis, in particular reductions resulting from the tariff negotiations in the WTO, such reduced customs duties shall be applied to imports originating in the Union and replace the basic duty or Reconstruction Levy as from the date when such reductions are applied.

Article 13

Application of relevant provisions of the GATT 1994

The following Articles of the GATT 1994 shall be incorporated into and made part of this Agreement and shall apply between the Parties, *mutatis mutandis*:

- (a) Article V including its Notes and Supplementary Provisions;
- (b) Article VII, paragraphs 1, 2, 3, 4(a), 4(b), 4(d) and 5 including its Notes and Supplementary provisions and the WTO Agreement on Implementation of Article VII of the GATT 1994;
- (c) Article VIII including its Notes and Supplementary Provisions;
- (d) Article IX;
- (e) Article X.

Article 14

Harmonised Commodity Description

The classification of goods in trade between the Parties shall be that set out in each Party's respective tariff nomenclature inter-

preted in conformity with the Harmonised System of the International Convention on the Harmonised Commodity Description and Coding System, done at Brussels on 14 June 1983 (hereinafter referred to as the 'HS').

Article 15

Temporary admission of goods

Without prejudice to the rights and obligations stemming from international conventions on the temporary admission of goods which bind both Parties, each Party shall grant the other Party exemption from import charges and duties on goods admitted temporarily. The temporary admission procedure shall be applied taking account of the conditions under which the obligations stemming from such conventions have been accepted by the Parties in question.

Article 16

Prohibition of quantitative restrictions

The Union and Iraq shall, upon the entry into force of this Agreement, abolish and shall not adopt or maintain in trade between themselves any restrictions on imports or exports or any measures having equivalent effect in accordance with Article XI of the GATT 1994 and its Notes and Supplementary Provisions. To this end Article XI of the GATT 1994 and its Notes and Supplementary Provisions are incorporated into and made part of this Agreement, *mutatis mutandis*.

Article 17

Export duties

Neither party may maintain or institute any customs duties, taxes or other fees and charges imposed on or in connection with the exportation of goods to the other Party. Neither Party may maintain or institute any internal taxes, fees, and charges on goods exported to the other party that are in excess of those imposed on like products destined for internal sale.

Chapter II

Trade remedies instruments

Article 18

Anti-dumping

1. Nothing in this Agreement shall prevent the Parties from adopting anti-dumping or countervailing measures in accordance with Article VI of the GATT 1994, including its Notes and Supplementary Provisions, and the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 and with the WTO Agreement on Subsidies and Countervailing Measures.

2. This article shall not be subject to the provisions of Section VI of Title II of this Agreement.

Article 19**Safeguard measures**

1. Nothing in this Agreement shall prevent the Parties from adopting measures in accordance with Article XIX of the GATT 1994 and the WTO Agreement on Safeguards.

2. This article shall not be subject to the provisions of Section VI of Title II of this Agreement.

Chapter III**Exceptions****Article 20****General exceptions**

The provisions of Article XX of the GATT 1994, including its Notes and Supplementary Provisions, and of Article XXI of the GATT 1994, which are incorporated into and made part of this Agreement, shall apply between the Parties, *mutatis mutandis*.

Chapter IV**Non-tariff issues****Article 21****Industrial standards and conformity assessment, technical regulations**

1. Relationship with the WTO Agreement on Technical Barriers to Trade

The provisions of the WTO Agreement on Technical Barriers to Trade (hereinafter referred to as the 'TBT Agreement'), which is incorporated into and made part of this Agreement, shall apply between the Parties, *mutatis mutandis*.

2. Scope and coverage

The provisions of this Chapter shall apply to the preparation, adoption and application of technical regulations, standards and conformity assessment procedures, as defined in the TBT Agreement.

3. Objectives

The objectives of cooperation in the areas of technical regulations, standards and conformity assessment procedures between the Parties shall be:

- (a) to avoid or reduce technical barriers to trade, in order to facilitate trade between the Parties;
- (b) to enhance access for products to each other's markets through improvements in safety, quality and competitiveness of products;
- (c) to promote a greater use of international technical regulations, standards and conformity assessment procedures, including sector specific measures, and the use of international best practices for drawing them up;

(d) to ensure that the preparation, adoption and application of standards and technical regulations are transparent and do not create unnecessary obstacles to trade between the Parties, in accordance with the provisions of the TBT Agreement;

(e) to develop the infrastructure for technical regulation, standardisation, conformity assessment, accreditation, metrology and market surveillance in Iraq;

(f) to develop functional links between standardisation, conformity assessment and regulatory institutions of Iraq and of the Union;

(g) to promote effective participation of Iraqi institutions in international standards setting bodies and the TBT Committee.

4. Technical regulations, standards and conformity assessment procedures

(a) The Parties shall ensure that technical regulations, standards and conformity assessment procedures, are not prepared, adopted or applied with a view to, or with an effect of, creating unnecessary obstacles to trade between the Parties, subject to the provisions of the TBT Agreement.

(b) The Parties shall endeavour where possible to harmonise their standards, technical regulations and conformity assessment procedures.

5. Transparency and notification

(a) Obligations concerning the sharing of information on technical regulations, standards and conformity assessment procedures provided for by the TBT Agreement shall apply between the Parties.

(b) The Parties agree to exchange information on issues of potential relevance to their trade relations, including rapid alerts, scientific opinions and events through contact points.

(c) The Parties may cooperate in the establishment and maintenance of contact points, and in the setting up and maintenance of common data bases.

Chapter V**Sanitary and phytosanitary measures****Article 22****Sanitary and phytosanitary measures**

1. The Parties shall cooperate in the area of Sanitary and Phytosanitary measures with the objective of facilitating trade while protecting human, animal or plant life or health. The provisions of the WTO Agreement on the Application of Sanitary and Phytosanitary Measures (hereinafter referred to as the 'SPS Agreement'), which is incorporated into and made part of this Agreement, shall apply between the Parties, *mutatis mutandis*.

2. On request the Parties may identify and address problems arising from the application of specific SPS-measures with a view to reaching mutually acceptable solutions.

SECTION II

Trade in services and establishment

Article 23

Coverage

1. This Section hereby lays down the necessary arrangements for the progressive liberalisation of trade in services and establishment between the Parties.

2. This Section applies to measures affecting trade in services and establishment in all economic activities, with the exception of:

- (a) mining, manufacturing and processing of nuclear materials;
- (b) production of or trade in arms, munitions and war material;
- (c) audio-visual services and cultural services;
- (d) education services;
- (e) health and social services;
- (f) national maritime cabotage;
- (g) air transport services and services auxiliary to air transport other than:
 - (i) aircraft repair and maintenance services during which an aircraft is withdrawn from service;
 - (ii) the selling and marketing of air transport services;
 - (iii) computer reservation system services;
 - (iv) ground handling services;
 - (v) rental services of aircraft with crew;
 - (vi) airport operation services; and
- (h) space transport services.

3. Nothing in this Section shall be construed to impose any obligation with respect to government procurement.

4. The provisions of this Section shall not apply to subsidies granted by the Parties.

5. Consistent with the provisions of this Section, each Party retains the right to regulate and to introduce new regulations to meet legitimate policy objectives.

Article 24

Definitions

For the purposes of this Section:

- (a) a 'natural person of the Union' means a national of one of the Member States of the Union according to its legislation

and a 'natural person of Iraq' means a national of Iraq according to its legislation;

- (b) a 'juridical person' means any legal entity duly constituted or otherwise organised under applicable law, whether for profit or otherwise, and whether privately-owned or governmentally-owned, including any corporation, trust, partnership, joint venture, sole proprietorship or association;
- (c) a 'juridical person of the Union' or a 'juridical person of Iraq' means a juridical person set up in accordance with the laws of a Member State of the Union or of Iraq, respectively, and having its registered office, central administration, or principal place of business in the territory to which the Treaty on European Union and the Treaty on the Functioning of the European Union apply or in the territory of Iraq, respectively. Should the juridical person have only its registered office, central administration, or principal place of business in the territory to which the Treaty on European Union and the Treaty on the Functioning of the European Union apply or in the territory of Iraq, respectively, it shall not be considered as a juridical person of the Union or a juridical person of Iraq, respectively, unless its operations possess a real and continuous link with the economy of the Union or of Iraq, respectively;
- (d) notwithstanding point (c), shipping companies established outside the Union or Iraq and controlled by nationals of a Member State of the Union or of Iraq, respectively, shall also be beneficiaries of the provisions of this Agreement, if their vessels are registered in accordance with their respective legislation, in that Member State of the Union or in Iraq, and carry the flag of a Member State of the Union or of Iraq;
- (e) 'economic activity' does not include activities carried out in the exercise of governmental authority, which means activities carried out neither on a commercial basis nor in competition with one or more economic operators;
- (f) 'subsidiary' means a juridical person which is effectively controlled by another juridical person;
- (g) 'branch' of a juridical person means a place of business not having legal personality which has the appearance of permanency, such as the extension of a parent body, has a management and is materially equipped to negotiate business with third parties so that the latter, although knowing that there will if necessary be a legal link with the parent body, the head office of which is abroad, do not have to deal directly with such parent body but may transact business at the place of business constituting the extension;
- (h) 'service suppliers' of a Party means any natural or juridical person of a Party that seeks to supply or supplies a service;
- (i) 'trade in services' is defined as the supply of a service through the following modes:

- (i) from the territory of a Party into the territory of the other Party;
- (ii) in the territory of a Party to the service consumer of the other Party;
- (iii) by a service supplier of a Party, through establishment in the territory of the other Party;
- (iv) by a service supplier of a Party, through presence of natural persons in the territory of the other Party;
- (j) 'measure' means any measure by a Party, whether in the form of a law, regulation, rule, procedure, decision, administrative action, or any other form;
- (k) 'measures adopted or maintained by a Party' means measures taken by:
 - (i) central, regional or local governments and authorities; and
 - (ii) non-governmental bodies in the exercise of powers delegated by central, regional or local governments or authorities;
- (l) 'services' includes any service in any sector except services supplied in the exercise of governmental authority;
- (m) 'establishment' means any type of business or professional establishment through:
 - (i) the constitution, acquisition or maintenance of a juridical person; or
 - (ii) the creation or maintenance of a branch or representative office;

within the territory of a Party for the purpose of performing an economic activity;
- (n) 'investor' of a Party means any natural or juridical person that seeks to perform or performs an economic activity through setting up an establishment;
- (o) a 'service supplied in the exercise of governmental authority' means any service which is supplied neither on a commercial basis, nor in competition with one or more service suppliers.

Article 25

1. From the entry into force of this Agreement the Union shall extend to services or service suppliers of the Iraq the treatment resulting from the schedule of specific commitments of the Union and its Member States on national treatment and market access under the General Agreement on Trade in Services (hereinafter referred to as the 'GATS').

2. From the entry into force of this Agreement, and subject to paragraph 3, the Iraq shall grant to services, service suppliers, establishments and investors of the Union in the services and non-services sector, treatment no less favourable than that granted to like services, services suppliers, establishments and investors of Iraq or to like services, service suppliers, establishments and investors of any third country, whichever is the better.

3. Iraq may modify the treatment granted to services, service suppliers, establishments and investors of the Union by subjecting it to conditions and qualifications which result in treatment less favourable than that granted to its own like services, service suppliers, establishments and investors. Such modification shall respect the following conditions:

- (a) The treatment granted to services, services suppliers, establishments and investors of the Union shall remain no less favourable than that granted by Iraq to like services, service suppliers, establishments and investors of any third country.
- (b) Iraq shall notify such intention to the Commission of the European Union (hereinafter referred to as 'the Commission') four months before the intended date of implementation of such conditions. At the request of the Commission, the Iraq shall provide detailed information on the reasons that justify the intended imposition of conditions and qualifications. These conditions and qualifications shall be deemed accepted by the Union if no communication is sent to Iraq within eight weeks.
- (c) At the request of any Party, the proposed conditions and qualifications shall be referred to the Cooperation Committee for examination and approval.

4. Without prejudice to the benefits arising from the treatment granted to services, service suppliers, establishments and investors of the Union pursuant to paragraph 2 of this article, following its accession to the WTO, Iraq shall also extend to services or service suppliers of the Union the treatment resulting from its schedule of specific commitments under the GATS.

Article 26

1. The most-favoured-nation treatment granted in accordance with the provisions of this Section shall not apply to tax advantages which the Parties are providing or will provide in the future on the basis of agreements to avoid double taxation, or other tax arrangements.

2. Nothing in this Section shall be construed to prevent the adoption or enforcement by the Parties of any measure aimed at preventing the avoidance of taxes pursuant to the tax provisions of agreements to avoid the double taxation and other tax arrangements, or domestic fiscal legislation.

3. Nothing in this Section shall be construed to prevent the Member States or Iraq from distinguishing, in the application of the relevant provisions of their fiscal legislation, between taxpayers who are not in identical situations, in particular as regards their place or residence.

Article 27

Other agreements

Nothing in this Section shall limit the rights of investors of the Parties to benefit from any more favourable treatment provided for in any existing or future international agreement relating to investment to which a Member State of the Union and Iraq are Parties.

*Article 28***Transparency**

Each Party shall respond promptly to all requests by the other Party for specific information on any of its measures of general application or international agreements which pertain to or affect this Agreement. Each Party shall also establish one or more enquiry points to provide specific information to services providers of the other Party, upon request, on all such matters. Such enquiry points are listed in ANNEX 3. Enquiry points need not be depositories of laws and regulations.

*Article 29***Exceptions**

1. The provisions of this Section are subject to the exceptions contained in this Article. Subject to the requirement that such measures are not applied in a manner which would constitute a means of arbitrary or unjustifiable discrimination between countries where like conditions prevail, or a disguised restriction on trade in services, nothing in this Section shall be construed to prevent the adoption or enforcement by any Party of measures:

- (a) necessary to protect public security or public morals or to maintain public order;
- (b) necessary to protect human, animal or plant life or health;
- (c) necessary to secure compliance with laws or regulations which are not inconsistent with the provisions of this Section including those relating to:
 - (i) the prevention of deceptive and fraudulent practices or to deal with the effects of a default on services contracts;
 - (ii) the protection of the privacy of individuals in relation to the processing and dissemination of personal data and the protection of confidentiality of individual records and accounts;
 - (iii) safety;
- (d) inconsistent with the objectives of Article 25, provided that the difference in treatment is aimed at ensuring the effective or equitable imposition or collection of direct taxes in respect of services or service suppliers of the other Party;
- (e) inconsistent with the objectives of Article 25, provided that the difference in treatment is aimed at preventing the avoidance or evasion of taxes pursuant to the tax provisions of agreements to avoid double taxation or other tax arrangements or domestic fiscal legislation.

2. The provisions of this Section shall not apply to the Parties' respective social security systems or to activities in the

territory of each Party, which are connected, even occasionally, with the exercise of official authority.

3. The provisions of this Section shall not apply to measures affecting natural persons seeking access to the employment market of a Party, nor shall it apply to measures regarding citizenship, residence or employment on a permanent basis.

4. Nothing in this Section shall prevent a Party from applying measures to regulate the entry of natural persons into, or their temporary stay in, its territory, including those measures necessary to protect the integrity of, and to ensure the orderly movement of natural persons across, its borders, provided that, in so doing, it does not apply them in a manner as to nullify or impair the benefits accruing to the other Party under Article 25.

5. Nothing in this Section applies to activities conducted by a central bank or monetary authority or by any other public entity in pursuit of monetary or exchange rate policies.

6. Nothing in this Section shall be construed to prevent a Party, including its public entities, from exclusively conducting or providing in its territory activities or services for the account or with the guarantee or using the financial resources of the Party, or its public entities.

7. The provisions of this Section shall not prejudice the application by each Party of any measures necessary to prevent the circumvention of its measures concerning third country access to its market, through the provisions of this Agreement.

*Article 30***Security Exceptions**

Nothing in this Section shall be construed:

- (a) to require any Party to furnish any information, the disclosure of which it considers contrary to its essential security interests; or
- (b) to prevent any Party from taking any action which it considers necessary for the protection of its essential security interests:
 - (i) relating to economic activities carried out directly or indirectly for the purpose of provisioning a military establishment;
 - (ii) relating to fissionable and fusionable materials or the materials from which they are derived;
 - (iii) connected with the production of or trade in arms, munitions and war materials and related to traffic in other goods and materials;
 - (iv) relating to government procurement indispensable for national security or for national defence purposes;

- (v) taken in time of war or other emergency in international relations; or
- (c) to prevent any Party from taking any action in pursuance of its obligations under the United Nations Charter for the maintenance of international peace and security.

Article 31

Progressive liberalisation of trade in services and establishment

As circumstances allow, including the situation arising from the accession of Iraq to the WTO, the Cooperation Council may make recommendations to the Parties to expand progressively trade in services and establishment between them and ensure full consistency with the provisions of the GATS, notably Article V. Where accepted, those recommendations could be put into effect by virtue of agreements between the Parties.

SECTION III

Provisions affecting business and investment

Article 32

Encouragement of investment

The Parties shall encourage an increase in mutually beneficial investment by establishing a more favourable climate for private investment.

Article 33

Contact points and exchange of information

In order to facilitate the communication between the Parties on any trade matter related to private investment, each Party shall designate a contact point. On the request of either Party, the contact point of the other Party shall indicate the office or official responsible for the matter and provide the required support to facilitate communication with the requesting Party.

SECTION IV

Current payments and capital

Article 34

Objective and scope

1. The Parties shall aim at the liberalisation of current payments and capital movements between them, in conformity with the commitments undertaken in the framework of the international financial institutions.
2. This Section applies to all current payments and capital movements between the Parties.

Article 35

Current account

The Parties shall allow, in freely convertible currency and in accordance with the Articles of Agreement of the International Monetary Fund, any payments and transfers of the current account between the Parties.

Article 36

Capital Account

From the entry into force of the Agreement, the Parties shall allow the free movements of capital relating to direct investments made in accordance with the laws of the host country and investments made in accordance with the provisions of this Agreement, and the liquidation or repatriation of these capitals and of any profit stemming there from.

Article 37

Standstill

The Parties shall not introduce any new restrictions on current payments and movements of capital between their residents and shall not make the existing arrangements more restrictive.

Article 38

Safeguard measures

1. Where, in exceptional circumstances, movements of capital between the Union and Iraq cause, or threaten to cause, serious difficulties for the operation of exchange rate policy or monetary policy in the Union or Iraq, the Union and Iraq, respectively, may take safeguard measures with regard to movements of capital between the Union and Iraq for a period not exceeding six months if such measures are strictly necessary.

2. The Party adopting the safeguard measures shall inform the other Party as soon as possible, of a time schedule for their removal.

Article 39

Final provisions

1. Nothing in this Section shall limit the rights of economic operators of the Parties from benefiting from any more favourable treatment that may be provided for in any existing bilateral or multilateral agreement to which they are parties.
2. The Parties shall consult each other with a view to facilitating the movement of capital between them in order to promote the objectives of this Agreement.

SECTION V

Trade-related issues

Chapter I

State trading enterprises

Article 40

1. The Parties aim to comply with the provisions of Article XVII of the GATT 1994, its Notes and Supplementary Provisions and the WTO Understanding on the Interpretation of Article XVII of the General Agreement on Tariffs and Trade 1994, which are incorporated into and made part of this Agreement, *mutatis mutandis*.

2. If one of the Parties requests information from the other Party on individual cases of state trading enterprises, the manner of their operation and the effect of their operations on bilateral trade, the requested Party shall ensure maximum transparency possible without prejudice to Article XVII.4(d) of the GATT 1994 on confidential information.

3. Each party shall ensure that any state trading enterprise supplier of a good or service shall comply with that Party's obligation under this Agreement.

Chapter II

Public procurement

Article 41

Introduction

1. The Parties recognise the contribution of transparent, competitive and open tendering to sustainable economic development and set as their objective the effective, reciprocal and gradual opening of their respective procurement markets.

2. For the purposes of this Chapter:

- (a) 'commercial goods or services' means goods or services of a type generally sold or offered for sale in the commercial marketplace to, and customarily purchased by, non-governmental buyers for non-governmental purposes;
- (b) 'construction service' means a service that has as its objective the realization by whatever means of civil or building works, based on Division 51 of the United Nations Provisional Central Product Classification (hereinafter referred to as the 'CPC');
- (c) 'days' means calendar days;
- (d) 'electronic auction' means an iterative process that involves the use of electronic means for the presentation by suppliers of either new prices, or new values for quantifiable non-price elements of the tender related to the evaluation criteria, or both, resulting in a ranking or re-ranking of tenders;
- (e) 'in writing or written' means any worded or numbered expression that can be read, reproduced and later communicated. It may include electronically transmitted and stored information;
- (f) 'limited tendering' means a procurement method whereby the procuring entity contacts a supplier or suppliers of its choice;
- (g) 'measure' means any law, regulation, procedure, administrative guidance or practice, or any action of a procuring entity relating to a covered procurement;
- (h) 'multi-use list' means a list of suppliers that a procuring entity has determined satisfy the conditions for participation in that list, and that the procuring entity intends to use more than once;
- (i) 'notice of intended procurement' means a notice published by a procuring entity inviting interested suppliers to submit a request for participation, a tender, or both;
- (j) 'offset' means any condition or undertaking that encourages local development or improves a Party's balance-of-payments accounts, such as the use of domestic content, the licensing of technology, investment, counter-trade and similar action or requirement;
- (k) 'open tendering' means a procurement method whereby all interested suppliers may submit a tender;
- (l) 'person' means a natural person or a juridical person;
- (m) 'procuring entity' means an entity covered under a Party's Appendix I of ANNEX 1 to this Agreement;
- (n) 'qualified supplier' means a supplier that a procuring entity recognises as having satisfied the conditions for participation;
- (o) 'selective tendering' means a procurement method whereby only qualified suppliers are invited by the procuring entity to submit a tender;
- (p) 'services' includes construction services, unless otherwise specified;
- (q) 'standard' means a document approved by a recognised body that provides for common and repeated use, rules, guidelines or characteristics for goods or services, or related processes and production methods, with which compliance is not mandatory. It may also include or deal exclusively with terminology, symbols, packaging, marking or labelling requirements as they apply to a good, service, process or production method;
- (r) 'supplier' means a person or group of persons that provides or could provide goods or services; and
- (s) 'technical specification' means a tendering requirement that:
 - (i) lays down the characteristics of goods or services to be procured, including quality, performance, safety and dimensions, or the processes and methods for their production or provision; or
 - (ii) addresses terminology, symbols, packaging, marking or labelling requirements, as they apply to a good or service.

Article 42

Scope and Coverage

1. This Chapter applies to any measure regarding covered procurement. For the purposes of this Chapter, covered procurement means procurement for governmental purposes:

- (a) of goods, services, or any combination thereof:
 - (i) as specified in each Party's Sub-Annexes of Appendix I of ANNEX 1 to this Agreement; and
 - (ii) not procured with a view to commercial sale or resale, or for use in the production or supply of goods or services for commercial sale or resale;
- (b) by any contractual means, including purchase, lease, and rental or hire purchase, with or without an option to buy;
- (c) for which the value equals or exceeds the relevant threshold specified in each Party's Sub-Annexes of Appendix I of ANNEX 1 to this Agreement, at the time of publication of a notice in accordance with Article 45;
- (d) by a procuring entity; and
- (e) that is not otherwise excluded from coverage.

2. Except where provided, this Chapter does not apply to:

- (a) the acquisition or rental of land, existing buildings or other immovable property or the rights thereon;
- (b) non-contractual agreements or any form of assistance that a Party provides, including cooperative agreements, grants, loans, equity infusions, guarantees and fiscal incentives;
- (c) the procurement or acquisition of fiscal agency or depositary services, liquidation and management services for regulated financial institutions or services related to the sale, redemption and distribution of public debt, including loans and government bonds, notes and other securities;
- (d) public employment contracts;
- (e) procurement conducted:
 - (i) for the specific purpose of providing international assistance, including development aid;
 - (ii) under the particular procedure or condition of an international agreement relating to the stationing of troops or relating to the joint implementation by the signatory countries of a project;
 - (iii) under the particular procedure or condition of an international organisation, or funded by international grants, loans or other assistance where the applicable

procedure or condition would be inconsistent with this Chapter.

3. Each Party shall define and specify the following information in its Sub-Annexes of Appendix I of ANNEX 1 to this Agreement:

- (a) in Sub-Annex 1, the central government entities whose procurement is covered by this Chapter;
- (b) in Sub-Annex 2, all other entities whose procurement is covered by this Chapter;
- (c) in Sub-Annex 3, the services, other than construction services, covered by this Chapter;
- (d) in Sub-Annex 4, the construction services covered by this Chapter;
- (e) in Sub-Annex 5, any General Notes.

4. Where a procuring entity, in the context of covered procurement, requires persons not covered under a Party's Sub-Annexes of Appendix I of ANNEX 1 to this Agreement to procure in accordance with particular requirements, Article 43 shall apply *mutatis mutandis* to such requirements.

5. In estimating the value of a procurement for the purpose of ascertaining whether it is a covered procurement, a procuring entity shall neither divide a procurement into separate procurements nor select or use a particular valuation method for estimating the value of a procurement with the intention of totally or partially excluding it from the application of this Chapter.

6. Nothing in this Chapter shall be construed to prevent any Party from taking any action or not disclosing any information that it considers necessary for the protection of its essential security interests relating to the procurement of arms, ammunition or war materials, or to procurement indispensable for national security or for national defence purposes.

7. Subject to the requirement that such measures are not applied in a manner that would constitute a means of arbitrary or unjustifiable discrimination between Parties where the same conditions prevail or a disguised restriction on international trade, nothing in this Chapter shall be construed to prevent any Party from imposing or enforcing measures:

- (a) necessary to protect public morals, order or safety;
- (b) necessary to protect human, animal or plant life or health;
- (c) necessary to protect intellectual property; or
- (d) relating to goods or services of persons with disabilities, philanthropic institutions or prison labour.

*Article 43***General Principles**

1. With respect to any measure and any covered procurement, each Party, including its procuring entities, shall accord immediately and unconditionally to the goods and services of the other Party and to the suppliers of the other Party offering the goods or services, treatment no less favourable than the treatment the Party, including its procuring entities, accords to domestic goods, services and suppliers.

2. With respect to any measure regarding covered procurement, a Party, including its procuring entities, shall not:

- (a) treat a locally established supplier less favourably than another locally established supplier on the basis of degree of foreign affiliation or ownership; nor
- (b) discriminate against a locally established supplier on the basis that the goods or services offered by that supplier for a particular procurement are goods or services of the other Party.

3. With respect to any laws, regulations, procedures and practices regarding government procurement, as well as in respect of specific procurements by public authorities at all levels, opened to goods, services and suppliers of third countries, Iraq shall provide to the goods, services and suppliers of the Union treatment no less favourable than that accorded to goods, services and suppliers of any third country.

Use of electronic means

4. When conducting covered procurement by electronic means, a procuring entity shall:

- (a) ensure that the procurement is conducted using information technology systems and software, including those related to authentication and encryption of information, that are generally available and interoperable with other generally available information technology systems and software; and
- (b) maintain mechanisms that ensure the integrity of requests for participation and tenders, including establishment of the time and receipt and the prevention of inappropriate access.

Conduct of procurement

5. A procuring entity shall conduct covered procurement in a transparent and impartial manner that avoids conflicts of interest and prevents corruptive practices and that is consistent with this Chapter.

Rules of origin

6. For purposes of covered procurement, no Party may apply rules of origin to goods or services imported from or supplied by the other Party that are different from the rules of origin the Party applies at the same time in the normal course of trade to imports or supplies of the same goods or services from the same Party.

*Article 44***Publication of procurement information**

1. Each Party shall:

- (a) promptly publish any law, regulation, judicial decision, administrative ruling of general application, standard contract clauses that is mandated by a law or regulation and is incorporated by reference in notices and tender documentation and procedure regarding covered procurement, and any modifications thereof, in officially designated electronic or paper medium that is widely disseminated and remains readily accessible to the public;
- (b) provide an explanation thereof to any Party, on request;
- (c) list in Appendix II of ANNEX 1 to this Agreement, the electronic or paper media in which the Party publishes the information described in point (a);
- (d) list in Appendix III of ANNEX 1 to this Agreement, the electronic media in which the Party publishes the notices required by Articles 45, 47(4) and 55(2).

2. Each Party shall promptly notify the other Party of any modification to the Party's information listed in Appendix II or III of ANNEX 1 to this Agreement.

*Article 45***Publication of Notices****Notice of Intended Procurement**

1. For each covered procurement, except in the circumstances described in Article 52, a procuring entity shall publish a notice of intended procurement in the appropriate media listed in Appendix III of ANNEX 1 to this Agreement. Each such notice shall include the information set out in Appendix IV of ANNEX 1 to this Agreement. These notices shall be accessible by electronic means free of charge through a single point of access.

Summary Notice

2. For each case of intended procurement, a procuring entity shall publish a summary notice that is readily accessible, at the same time as the publication of the notice of intended procurement, in one of the WTO languages. The summary notice shall contain at least the following information:

- (a) the subject-matter of the procurement;
- (b) the final date for the submission of tenders or, where applicable, any final date for the submission of requests for participation in the procurement or for inclusion on a multi-use list; and
- (c) the address from which documents relating to the procurement may be requested.

Notice of Planned Procurement

3. Procuring entities are encouraged to publish as early as possible in each fiscal year a notice regarding their future procurement plans (hereinafter referred to as a 'notice of planned procurement'). The notice should include the subject-matter of the procurement and the planned date of the publication of the notice of intended procurement.

4. A procuring entity listed in Sub-Annex 2 of Appendix I of ANNEX 1 to this Agreement may use a notice of planned procurement as a notice of intended procurement provided that it includes as much of the information in Appendix IV of ANNEX 1 to this Agreement as is available and a statement that interested suppliers should express their interest in the procurement to the procuring entity.

Article 46

Conditions for Participation

1. A procuring entity shall limit the conditions for participation in a procurement to those that are essential to ensure that a supplier has the legal and financial capacities and the commercial and technical abilities to undertake the relevant procurement.

2. In assessing whether a supplier satisfies the conditions for participation, a procuring entity:

- (a) shall evaluate the financial, commercial and technical abilities of a supplier on the basis of that supplier's business activities both inside and outside the territory of the Party of the procuring entity;
- (b) shall not impose the condition that, in order for a supplier to participate in a procurement, the supplier has previously been awarded one or more contracts by a procuring entity of a given Party or that the supplier has prior work experience in the territory of a given Party; and
- (c) may require relevant prior experience where essential to meet the requirements of the procurement.

3. In making this assessment, the procuring entity shall base its evaluation on the conditions that it has specified in advance in notices or tender documentation.

4. A procuring entity must exclude a supplier on grounds such as bankruptcy, false declarations, significant deficiencies in performance of any substantive requirement or obligation under a prior contract or contracts, judgments in respect of serious crimes or other judgments in respect of serious public offences, professional misconduct or failure to pay taxes.

Article 47

Qualification of Suppliers

Selective tendering

1. Where a procuring entity intends to use selective tendering, the entity shall:

(a) include in the notice of intended procurement at least the information specified in points 1, 2, 6, 7, 10, and 11 of Appendix IV of ANNEX 1 to this Agreement and invite suppliers to submit a request for participation; and

(b) provide by the commencement of the time-period for tendering, at least the information in points 3, 4, 5, 8 and 9 of Appendix IV of ANNEX 1 to this Agreement to the qualified suppliers that it notifies as specified in paragraph 2, point (b) of Appendix VI of ANNEX 1 to this Agreement.

2. A procuring entity shall recognise as qualified suppliers any domestic suppliers and any suppliers of the other Party that meets the conditions for participation in a particular procurement, unless the procuring entity states in the notice of intended procurement any limitation on the number of suppliers that will be permitted to tender and the criteria for selecting the limited number of suppliers.

3. Where the tender documentation is not made publicly available from the date of publication of the notice referred to in paragraph 1, a procuring entity shall ensure that those documents are made available at the same time to all qualified suppliers selected in accordance with paragraph 2.

Sub-Annex 2 entities

4. A procuring entity covered under Sub-Annex 2 of Appendix I of ANNEX 1 to this Agreement may maintain a multi-use list of suppliers, provided that a notice inviting interested suppliers to apply for inclusion in the list is published annually, and where published by electronic means, made available continuously in the appropriate medium listed in Appendix III of ANNEX 1 to this Agreement. Such a notice shall include the information set out in Appendix V of ANNEX 1 to this Agreement.

5. Notwithstanding paragraph 4, where a multi-use list will be valid for three years or less, a procuring entity covered under Sub-Annex 2 of Appendix I of ANNEX 1 to this Agreement may publish a notice referred to in that paragraph only once, at the beginning of the period of validity of the list, provided that the notice states the period of validity and that further notices will not be published.

6. A procuring entity covered under Sub-Annex 2 of Appendix I of ANNEX 1 to this Agreement shall allow suppliers to apply at any time for inclusion on a multi-use list and shall include on the list all qualified suppliers within a reasonable short time.

A procuring entity covered under Sub-Annex 2 of Appendix I of ANNEX 1 to this Agreement may use a notice inviting suppliers to apply for inclusion in a multi-use list as a notice of intended procurement, provided that:

- (a) the notice is published in accordance with paragraph 4 and includes the information required by Appendix V of ANNEX 1 to this Agreement and as much of the information required by Appendix IV of ANNEX 1 to this Agreement as is available and contains a statement that it constitutes a notice of intended procurement;
- (b) the entity promptly provides to suppliers that have expressed an interest to the entity in a given procurement, sufficient information to permit them to assess their interest in the procurement, including all remaining information required by Appendix IV of ANNEX 1 to this Agreement, to the extent that such information is available.

7. A procuring entity covered under Sub-Annex 2 of Appendix I of ANNEX 1 to this Agreement may allow a supplier that has applied for inclusion on a multi-use list in accordance with paragraph 6 to tender in a given procurement, where there is sufficient time for the procuring entity to examine whether the supplier satisfies the conditions for participation.

8. A procuring entity covered under Sub-Annex 2 of Appendix I of ANNEX 1 to this Agreement shall promptly inform any supplier that submits a request for participation or application for inclusion on a multi-use list of the procuring entity's decision with respect to the request.

9. Where a procuring entity covered under Sub-Annex 2 of Appendix I of ANNEX 1 to this Agreement rejects a supplier's request to qualify or application for inclusion on a multi-use list, ceases to recognise a supplier as qualified, or removes a supplier from a multi-use list, the entity shall promptly inform the supplier and, on request of the supplier, promptly provide the supplier with a written explanation of the reasons for its decision.

Article 48

Technical Specifications

1. A procuring entity shall not prepare, adopt or apply any technical specification or prescribe any conformity assessment procedure with the purpose or the effect of creating unnecessary obstacles to international trade.
2. In prescribing the technical specifications for the goods or services being procured, a procuring entity shall, where appropriate:
 - (a) set out the technical specifications in terms of performance and functional requirements, rather than design or descriptive characteristics; and
 - (b) base the technical specifications on international or European standards, where these exist; otherwise, on national technical regulations, recognised national standards or building codes.
3. Where design or descriptive characteristics are used in the technical specifications, a procuring entity shall indicate, where appropriate, that it will consider tenders of equivalent goods or

services that demonstrably fulfil the requirements of the procurement by including such words as 'or equivalent' in the tender documentation.

4. A procuring entity shall not prescribe technical specifications that require or refer to a particular trademark or trade name, patent, copyright, design, type, specific origin, producer or supplier, unless there is no other sufficiently precise or intelligible way of describing the procurement requirements and provided that, in such cases, the entity includes words such as 'or equivalent' in the tender documentation.

5. A procuring entity shall not seek or accept, in a manner that would have the effect of precluding competition, advice that may be used in the preparation of adoption of any technical specification for a specific procurement from a person that may have a commercial interest in the procurement.

6. Each Party, including its procuring entities, may, in accordance with this Article, prepare, adopt or apply technical specifications to promote the conservation of natural resources or protect the environment.

Article 49

Tender Documentation

1. A procuring entity shall provide to suppliers tender documentation that includes all information necessary to permit suppliers to prepare and submit responsive tenders. Unless already provided in the notice of intended procurement, such documentation shall include a complete description of the issues set out in Appendix VIII of ANNEX 1 to this Agreement.
2. A procuring entity shall promptly provide, on request, the tender documentation to any supplier participating in the procurement and shall reply to any reasonable request for relevant information by a supplier participating in the procurement, provided that such information does not give that supplier an advantage over its competitors in the procurement.
3. Where, prior to the award of a contract, a procuring entity modifies the criteria or requirements set out in the notice of intended procurement or tender documentation provided to participating suppliers, or amends a notice or tender documentation, it shall transmit in writing all such modifications or amended or re-issued notice or tender documentation:
 - (a) to all suppliers that are participating at the time the information is amended, if known, and in all other cases, in the same manner as the original information; and
 - (b) in adequate time to allow such suppliers to modify and re-submit amended tenders, as appropriate.

Article 50

Time Periods

A procuring entity shall, consistent with its own reasonable needs, provide sufficient time for suppliers to prepare and submit requests for participation and responsive tenders, taking into account such factors as the nature and complexity

of the procurement, the extent of subcontracting anticipated, and the time for transmitting tenders from foreign as well as domestic points where electronic means are not used. Such time-periods, including any extension of the time-periods, shall be the same for all interested or participating suppliers. The applicable time periods are set out in Appendix VI of ANNEX 1 to this Agreement.

Article 51

Negotiations

1. A Party may provide for its procuring entities to conduct negotiations:

- (a) in the context of procurements in which they have indicated such intent in the notice of intended procurement; or
- (b) where it appears from the evaluation that no one tender is obviously the most advantageous in terms of the specific evaluation criteria set forth in the notices or tender documentation.

2. A procuring entity shall:

- (a) ensure that any elimination of suppliers participating in negotiations is carried out in accordance with the evaluation criteria set out in the notices or tender documentation; and
- (b) where negotiations are concluded, provide a common deadline for the remaining suppliers to submit any new or revised tenders.

Article 52

Limited Tendering

A procuring entity may use limited tendering and may choose not to apply Articles 45 to 47, 49 to 51, 53 and 54 only under the following conditions:

- (a) where
 - (i) no tenders were submitted, or no suppliers requested participation;
 - (ii) no tenders that conform to the essential requirements of the tender documentation were submitted;
 - (iii) no suppliers satisfied the conditions for participation; or
 - (iv) the tenders submitted have been collusive;

provided that the requirements of the tender documentation are not substantially modified;

- (b) where the goods or services can be supplied only by a particular supplier and no reasonable alternative or substitute goods or services exist because the requirement is a work of art; due to the protection of patents, copyrights or other exclusive rights; or due to the absence of competition for technical reasons;
- (c) for additional deliveries by the original supplier of goods and services that were not included in the initial

procurement where a change of supplier for such additional goods or services:

- (i) cannot be made for economic or technical reasons such as requirements of interchangeability or interoperability with existing equipment, software, services or installations procured under the initial procurement; and
- (ii) would cause significant inconvenience or substantial duplication of costs for the procuring entity;
- (d) in so far as is strictly necessary where, for reasons of extreme urgency brought about by events unforeseeable by the procuring entity, the goods or services could not be obtained in time using open tendering or selective tendering;
- (e) for goods purchased on a commodity market;
- (f) where a procuring entity procures a prototype or a first good or service that is developed at its request in the course of, and for, a particular contract for research, experiment, study or original development;
- (g) for purchases made under exceptionally advantageous conditions which only arise in the very short term in the case of unusual disposals such as arising from liquidation, receivership or bankruptcy and not for routine purchases from regular suppliers; and
- (h) where a contract is awarded to a winner of a design contest provided that the contest has been organised in a manner that is consistent with the principles of this Chapter, and the participants are judged by an independent jury with a view to a design contract being awarded to a winner.

Article 53

Electronic Auctions

Where a procuring entity intends to conduct a covered procurement using an electronic auction, the entity shall provide each participant, before commencing the electronic auction, with:

- (a) the automatic evaluation method, including the mathematical formula, that is based on the evaluation criteria set out in the tender documentation and that will be used in the automatic ranking or re-ranking during the auction;
- (b) the results of any initial evaluation of the elements of its tender where the contract is to be awarded on the basis of the most advantageous tender; and
- (c) any other relevant information relating to the conduct of the auction.

Article 54

Treatment of Tenders and Award of Contracts

1. A procuring entity shall receive, open and treat all tenders under procedures that guarantee the fairness and impartiality of the procurement process, and the confidentiality of tenders.

2. A procuring entity shall not penalise any supplier whose tender is received after the time specified for receiving tenders if the delay is due solely to mishandling on the part of the procuring entity.

3. Where a procuring entity provides a supplier with an opportunity to correct unintentional errors of form between the opening of tenders and the awarding of the contract, the procuring entity shall provide the same opportunity to all participating suppliers.

4. To be considered for an award, a tender shall be in writing and shall, at the time of opening, comply with the essential requirements set out in the notices and tender documentation and be from a supplier that satisfies the conditions for participation.

5. Unless a procuring entity determines that it is not in the public interest to award a contract, the entity shall award the contract to the supplier that the entity has determined to be capable of fulfilling the terms of the contract and that, based solely on the evaluation criteria specified in the notices and tender documentation, has submitted the most advantageous tender or where price is the sole criterion, the lowest price.

6. Where a procuring entity receives a tender with a price that is abnormally lower than the prices in other tenders submitted, it may verify with the supplier that it satisfies the conditions for participation and is capable of fulfilling the terms of the contract.

7. A procuring entity shall not use options, cancel a procurement or modify awarded contracts in a manner that circumvents the obligations under this Agreement.

Article 55

Transparency of Procurement Information

1. A procuring entity shall promptly inform participating suppliers of the entity's contract award decisions and, on request, shall do so in writing. Subject to paragraphs 2 and 3 of Article 56, a procuring entity shall, on request, provide an unsuccessful supplier with an explanation of the reasons why the entity did not select its tender and the relative advantages of the successful supplier's tender.

2. Not later than 72 days after the award of each contract covered by this Chapter, a procuring entity shall publish a notice in the appropriate paper or electronic medium listed in Appendix III. Where only an electronic medium is used, the information shall remain readily available for a reasonable period of time. The notice shall include at least the information set out in Appendix VII of ANNEX 1 to this Agreement.

Article 56

Disclosure of Information

1. On request of the other Party, the Party shall provide promptly any information necessary to determine whether the procurement was conducted fairly, impartially and in accordance with the Chapter, including information on the

characteristics and relative advantages of the successful tender. In cases where release of this information would prejudice competition in future tenders, the Party that receives that information shall not disclose it to any supplier, except after consultation with, and agreement of, the Party that provided the information.

2. Notwithstanding any other provision of this Chapter, a Party, including its procuring entities, shall not provide to any supplier information that might prejudice fair competition between suppliers.

3. Nothing in this Chapter shall be construed to require a Party, including its procuring entities, authorities and review bodies, to disclose confidential information where disclosure would impede law enforcement; might prejudice fair competition between suppliers; would prejudice the legitimate commercial interests of particular persons, including the protection of intellectual property; or would otherwise be contrary to the public interest.

Article 57

Domestic Review Procedures

1. Each Party shall provide a timely, effective, transparent and non-discriminatory administrative or judicial review procedure through which a supplier may challenge:

(a) a breach of this Chapter; or

(b) where the supplier does not have a right to challenge directly a breach of the Chapter under the domestic law of the Party, a failure to comply with a Party's measures implementing this Chapter;

arising in the context of a covered procurement, in which the supplier has, or has had, an interest. The procedural rules for all challenges shall be in writing and made generally available.

2. In the event of a complaint by a supplier, arising in the context of covered procurement in which the supplier has, or has had, an interest, that there has been a breach or a failure as set out in paragraph 1, the Party concerned shall encourage its procuring entity and the supplier to seek resolution of the complaint through consultation. The procuring entity shall accord impartial and timely consideration to any such complaint in a manner that is not prejudicial to the supplier's participation in ongoing or future procurement or right to seek corrective measures under the administrative or judicial review procedure.

3. Each supplier shall be allowed a sufficient period of time to prepare and submit a challenge, which in no case be less than 10 days from the time when the basis of the challenge became known or reasonably should have become known to the supplier.

4. Each Party shall establish or designate at least one impartial administrative or judicial authority that is independent of its procuring entities to receive and review a challenge by a supplier arising in the context of a covered procurement.

5. Where a body other than an authority referred to in paragraph 4 initially reviews a challenge, the Party shall ensure that the supplier may appeal the initial decision to an impartial administrative or judicial authority that is independent of the procuring entity whose procurement is the subject of the challenge. A review body that is not a court shall either be subject to judicial review or have procedural guarantees that provide for:

- (a) the procuring entity shall respond in writing to the challenge and disclose all relevant documents to the review body;
- (b) the participants to the proceedings (hereinafter referred to as 'participants') shall have the right to be heard prior to a decision of the review body being made on the challenge;
- (c) the participants shall have the right to be represented and accompanied;
- (d) the participants shall have access to all proceedings;
- (e) the participants shall have the right to request that the proceedings take place in public and that witnesses may be present; and
- (f) decisions or recommendations relating to challenges by suppliers shall be provided, in a timely fashion, in writing, with an explanation of the basis for each decision or recommendation.

6. Each Party shall adopt or maintain procedures that provide for:

- (a) prompt interim measures to preserve the supplier's opportunity to participate in the procurement. Such interim measures may result in suspension of the procurement process. The procedures may provide that overriding adverse consequences for the interests concerned, including the public interest, may be taken into account when deciding whether such measures should be applied. The case for not acting shall be provided in writing; and
- (b) where a review body had determined that there has been a breach or a failure as set out in paragraph 1, corrective action or compensation for the loss or damages suffered, which may be limited to either the costs for the preparation of the tender or the costs relating to the challenge, or both.

Article 58

Further negotiations

1. The Parties will review annually the effective operation of this Chapter and the mutual opening of procurement markets. In no later than one year from the entry into force of this Agreement the Parties will enter into negotiations for the extension of the list(s) of covered entities in Sub-Annex 1 and Sub-Annex 2 of Appendix 1 of ANNEX 1 to this Agreement.

2. Iraq will in the context of the WTO accession negotiations acknowledge its commitment for accession to the plurilateral Agreement on Government Procurement (hereinafter referred to as the 'GPA').

Article 59

Asymmetrical regime and transitional measures

Taking into account the development, financial and trade needs, Iraq will benefit from the following transitional measure: Iraq may provide for a temporary price preference programme consisting of a price differential of 5 % for goods and services and 10 % for works, applicable to supplies and services from purely Iraqi suppliers.

The price preference programme will be phased-out within 10 years from the entry into force of this Agreement.

Chapter III

Intellectual property protection

Article 60

Nature and scope of obligations

1. Pursuant to the provisions of this Article and of ANNEX 2 to this Agreement, Iraq shall adopt, within five years of the entry into force of the Agreement, legislation in order to ensure adequate and effective protection of intellectual, industrial and commercial property rights according to the highest international standards including the rules set by the Agreement on Trade-Related Aspects of Intellectual Property Rights, contained in Annex 1C to the WTO Agreement (hereinafter referred to as the 'TRIPS Agreement'), as well as effective means of enforcing such rights.

2. Within three years of the entry into force of the Agreement, Iraq shall accede to the multilateral conventions on intellectual, industrial and commercial property rights referred to in paragraph 2 of ANNEX 2 to this Agreement to which Member States are parties or which are *de facto* applied by Member States according to the relevant provisions contained in these conventions.

3. Within three years of the entry into force of the Agreement, Iraq shall comply with the multilateral conventions on intellectual, industrial and commercial property rights referred to in paragraph 3 of ANNEX 2 to this Agreement to which one or several Member States are parties or which are *de facto* applied by one or several Member States according to the relevant provisions contained in these conventions.

4. The implementation of this Article and of ANNEX 2 to this Agreement shall be regularly reviewed by the Parties. In preparing its legislation or if problems in the area of intellectual, industrial and commercial property affecting trading conditions were to occur, urgent consultations will be undertaken, at the request of either Party, with a view to reaching mutually satisfactory solutions. In no later than three years from the entry into force of this Agreement, the Parties will enter into negotiations for more detailed IPR provisions.

5. Each Party shall accord to the national of the other Party treatment no less favourable than that it accords to its own nationals with regard to the protection of intellectual property rights, subject to the exceptions already provided for in the international instruments which are included or may be included from time to time in ANNEX 2 to this Agreement and as of the moment in which they are ratified by that Party.

6. From the entry into force of this Agreement, Iraq shall grant to companies and national of the Union, in respect of the recognition and protection of intellectual, industrial and commercial property, treatment no less favourable than that granted by it to any third country under bilateral agreements.

SECTION VI

Dispute settlement

Chapter I

Objective and scope

Article 61

Objective

The objective of this Section is to avoid and settle any dispute between the Parties with a view to arrive at, where possible, a mutually agreed solution.

Article 62

Scope

This Section applies with respect to any dispute concerning the interpretation and application of the provisions of Title II of this Agreement, except as otherwise expressly provided.

Chapter II

Consultations

Article 63

Consultations

1. The Parties shall endeavour to resolve any dispute regarding the interpretation and application of the provisions referred to in Article 62 by entering into consultations in good faith with the aim of reaching a prompt, equitable and mutually agreed solution.

2. A Party shall seek consultations by means of a written request to the other Party, copied to the Cooperation Committee, identifying any measure at issue and the provisions referred to in Article 62 that it considers applicable.

3. Consultations shall be held within 30 days of the date of the submission of the request and take place, unless the Parties agree otherwise, on the territory of the Party complained against. The consultations shall be deemed concluded within 30 days of the date of the submission of the request, unless both Parties agree to continue consultations. All information disclosed during the consultations shall remain confidential.

4. Consultations on matters of urgency, including those regarding perishable or seasonal goods shall be held within

15 days of the date of the submission of the request, and shall be deemed concluded within 15 days of the date of the submission of the request.

5. If consultations are not held within the timeframes laid down in paragraph 3 or in paragraph 4 respectively, or if consultations have been concluded and no agreement has been reached on a mutually agreed solution, the complaining Party may request the establishment of an arbitration panel in accordance with Article 64.

Chapter III

Dispute settlement procedures

Article 64

Initiation of the arbitration procedure

1. Where the Parties have failed to resolve the dispute by recourse to consultations as provided for in Article 63, the complaining Party may request the establishment of an arbitration panel.

2. The request for the establishment of an arbitration panel shall be made in writing to the Party complained against and the Cooperation Committee. The complaining Party shall identify in its request the specific measure at issue, and it shall explain how such measure constitutes a breach of the provisions referred to in Article 62 in a manner sufficient to present the legal basis for the complaint.

Article 65

Establishment of the arbitration panel

1. An arbitration panel shall be composed of three arbitrators.

2. Within 10 days of the date of the submission of the request for the establishment of an arbitration panel to the Cooperation Committee, the Parties shall consult in order to reach an agreement on the composition of the arbitration panel.

3. In the event that the Parties are unable to agree on its composition within the time frame laid down in paragraph 2, either party may request the chair of the Cooperation Committee, or the chair's delegate, to select all three members by lot from the list established under Article 78, one among the individuals proposed by the complaining Party, one among the individuals proposed by the Party complained against and one among the individuals selected by the Parties to act as chair-person. Where the Parties agree on one or more of the members of the arbitration panel, any remaining members shall be selected by the same procedure in the applicable list of panellists.

4. The chair of the Cooperation Committee, or the chair's delegate, shall select the arbitrators within five days of the request referred to in paragraph 3 by either Party and in the presence of a representative of each Party.

5. The date of establishment of the arbitration panel shall be the date on which the three arbitrators are selected.

6. Should any of the lists provided for in Article 78 not be established at the time a request is made pursuant to paragraph 3 the three arbitrators shall be drawn by lot from the individuals which have been formally proposed by one or both of the Parties.

Article 66

Interim panel report

The arbitration panel shall issue an interim report to the Parties setting out its findings of the facts, the applicability of relevant provisions and the basic rationale behind any findings and recommendations that it makes, not later than 90 days from the date of establishment of the arbitration panel. Any Party may submit a written request for the arbitration panel to review precise aspects of the interim report within 15 days of its notification. The findings of the final panel ruling shall include a sufficient motivation of the arguments made at the interim review stage, and shall answer clearly to the questions and observations of the two Parties.

Article 67

Arbitration panel ruling

1. The arbitration panel shall notify its ruling to the Parties and to the Cooperation Committee within 120 days from the date of the establishment of the arbitration panel. Where it considers that this deadline cannot be met, the chairperson of the arbitration panel must notify the Parties and the Cooperation Committee in writing, stating the reasons for the delay and the date on which the panel plans to conclude its work. Under no circumstances should the ruling be notified later than 150 days from the date of the establishment of the arbitration panel.

2. In cases of urgency, including those involving perishable or seasonal goods, the arbitration panel shall make every effort to notify its ruling within 60 days from the date of its establishment. Under no circumstances should it take longer than 75 days from its establishment. The arbitration panel may give a preliminary ruling within 10 days of its establishment on whether it deems the case to be urgent.

Article 68

Compliance with the arbitration panel ruling

Each Party shall take any measure necessary to comply in good faith with the arbitration panel ruling, and the Parties shall endeavour to agree on the period of time to comply with the ruling.

Article 69

The reasonable period of time for compliance

1. No later than 30 days after the notification of the arbitration panel ruling to the Parties, the Party complained against shall notify the complaining Party and the Cooperation Committee of the time it will require for compliance (hereinafter referred to as 'reasonable period of time') if immediate compliance is not possible.

2. If there is disagreement between the Parties on the reasonable period of time to comply with the arbitration

panel ruling, the complaining Party shall, within 20 days of the notification made under paragraph 1 by the Party complained against, request in writing the original arbitration panel to determine the length of the reasonable period of time. Such request shall be notified simultaneously to the other Party and to the Cooperation Committee. The arbitration panel shall notify its ruling to the Parties and to the Cooperation Committee within 20 days from the date of the submission of the request.

3. In the event of the original arbitration panel, or some of its members, being unable to reconvene, the procedures set out in Article 65 shall apply. The time limit for notifying the ruling shall be 35 days from the date of the submission of the request referred to in paragraph 2.

4. The reasonable period of time may be extended by mutual agreement of the Parties.

Article 70

Review of any measure taken to comply with the arbitration panel ruling

1. The Party complained against shall notify the complaining Party and the Cooperation Committee before the end of the reasonable period of time of any measure that it has taken to comply with the arbitration panel ruling.

2. In the event that there is disagreement between the Parties concerning the existence or the consistency of any measure notified under paragraph 1, with the provisions referred to in Article 62, the complaining Party may request in writing the original arbitration panel to rule on the matter. Such request shall identify the specific measure at issue and it shall explain how such measure is incompatible with the provisions referred to in Article 62. The arbitration panel shall notify its ruling within 45 days of the date of the submission of the request.

3. In the event of the original arbitration panel, or some of its members, being unable to reconvene, the procedures set out in Article 65 shall apply. The time limit for notifying the ruling shall be 60 days from the date of the submission of the request referred to in paragraph 2.

Article 71

Temporary remedies in case of non-compliance

1. If the Party complained against fails to notify any measure taken to comply with the arbitration panel ruling before the expiry of the reasonable period of time, or if the arbitration panel rules that the measure notified under paragraph 1 of Article 70 is inconsistent with that Party's obligations under the provisions referred to in Article 62, the Party complained against shall, if so requested by the complaining Party, present an offer for temporary compensation.

2. If no agreement on compensation is reached within 30 days of the end of the reasonable period of time or of the arbitration panel ruling under Article 70 that a measure taken to comply is inconsistent with the provisions referred to in Article 62, the complaining Party shall be entitled, upon notification to the Party complained against and to the Cooperation

Committee, to suspend obligations arising from any provision referred to in Article 62 at a level equivalent to the nullification or impairment caused by the violation. The complaining Party may implement the suspension 10 days after the date of the notification, unless the Party complained against has requested arbitration under paragraph 3.

3. If the Party complained against considers that the level of suspension is not equivalent to the nullification or impairment caused by the violation, it may request in writing the original arbitration panel to rule on the matter. Such request shall be notified to the complaining Party and to Cooperation Committee before the expiry of the 10 day period referred to in paragraph 2. The original arbitration panel shall notify its ruling on the level of the suspension of obligations to the Parties and to the Cooperation Committee within 30 days of the date of the submission of the request. Obligations shall not be suspended until the original arbitration panel has notified its ruling, and any suspension shall be consistent with the arbitration panel ruling.

4. In the event of the original arbitration panel, or some of its members, being unable to reconvene, the procedures laid down in Article 65 shall apply. The period for notifying the ruling shall be 45 days from the date of the submission of the request referred to in paragraph 3.

5. The suspension of obligations shall be temporary and shall be applied only until any measure found to be inconsistent with the provisions referred to in Article 62 has been withdrawn or amended so as to bring it into conformity with those provisions, as established under Article 72, or until the Parties have agreed to settle the dispute.

Article 72

Review of any measure taken to comply after the suspension of obligations

1. The Party complained against shall notify the complaining Party and the Cooperation Committee of any measure it has taken to comply with the ruling of the arbitration panel and of its request for an end to the suspension of obligations applied by the complaining Party.

2. If the Parties do not reach an agreement on the compatibility of the notified measure with the provisions referred to in Article 62 within 30 days of the date of the submission of the notification, the complaining Party shall request in writing the original arbitration panel to rule on the matter. Such request shall be notified simultaneously to the Party complained against and to the Cooperation Committee. The arbitration panel ruling shall be notified to the Parties and to the Cooperation Committee within 45 days of the date of the submission of the request. If the arbitration panel rules that any measure taken to comply is in conformity with the provisions referred to in Article 62, the suspension of obligations shall be terminated.

3. In the event of the original arbitration panel, or some of its members, being unable to reconvene, the procedures laid down in Article 65 shall apply. The period for notifying the

ruling shall be 60 days from the date of the submission of the request referred to in paragraph 2.

Article 73

Mutually Agreed Solution

The Parties may reach a mutually agreed solution to a dispute under this Section at any time. They shall notify the Cooperation Committee and the arbitration panel of any such solution. Upon notification of the mutually agreed solution, the panel shall terminate its work and the procedure shall be terminated.

Article 74

Rules of Procedure

1. Dispute settlement procedures under this Section shall be governed by the Rules of Procedure and the Code of Conduct which shall be adopted by the Cooperation Committee.

2. The Parties may decide to modify the Rules of Procedure and the Code of Conduct.

3. Any hearing of the arbitration panel shall be open to the public in accordance with the Rules of Procedure.

Article 75

Information and technical advice

At the request of a Party, or upon its own initiative, the arbitration panel may obtain information from any source, including the Parties involved in the dispute, it deems appropriate for the arbitration panel proceeding. The arbitration panel also has the right to seek the relevant opinion of experts as it deems appropriate. Any information obtained in this manner must be disclosed to each of the Parties and submitted for their comments. Interested natural or legal persons established in the Parties' territories are authorised to submit *amicus curiae* briefs to the arbitration panel in accordance with the Rules of Procedure.

Article 76

Rules of interpretation

Any arbitration panel shall interpret the provisions referred to in Article 62 in accordance with customary rules of interpretation of public international law, including those codified in the Vienna Convention on the Law of Treaties. The rulings of the arbitration panel cannot add to or diminish the rights and obligations provided in the provisions referred to in Article 62.

Article 77

Arbitration panel decisions and rulings

1. The arbitration panel shall make every effort to take any decision by consensus. Where, nevertheless, a decision cannot be arrived at by consensus, the matter at issue shall be decided by majority vote. However, in no case dissenting opinions of arbitrators shall be published.

2. Any ruling of the arbitration panel shall be binding on the Parties and shall not create any rights or obligations for natural or legal persons. The ruling shall set out the findings of fact, the applicability of the relevant provisions of the Agreement and the basic rationale behind any findings and conclusions that it makes. The Cooperation Committee shall make the arbitration panel rulings publicly available in its entirety unless it decides not to do so in order to ensure the confidentiality of business confidential information.

Chapter IV

General provisions

Article 78

List of arbitrators

1. The Cooperation Committee shall, no later than six months after the entry into force of the Agreement, establish a list of 15 individuals who are willing and able to serve as arbitrators. Each of the Parties shall propose five individuals to serve as arbitrators. The two Parties shall also select five individuals that are not nationals of either Party and who shall act as chairperson to the arbitration panel. The Cooperation Committee shall ensure that the list is always maintained at this level.

2. Arbitrators shall have specialised knowledge or experience of law and international trade. They shall be independent, serve in their individual capacities and not take instructions from any organisation or government, or be affiliated with the government of any of the Parties, and shall comply with the Code of Conduct.

Article 79

Relation with WTO obligations

1. Until Iraq accedes to the WTO, arbitration panels shall adopt an interpretation that is fully consistent with the relevant decisions of the Dispute Settlement Body of the World Trade Organisation when ruling on an alleged violation of a provision of the provisions referred to in Article 62 that incorporates or refers to a provision under the WTO Agreement.

2. Upon the accession of Iraq to the WTO, paragraphs 3 to 6 shall apply.

3. Recourse to the dispute settlement provisions of this Section shall be without prejudice to any action in the WTO framework, including dispute settlement action.

4. However, where a Party has, with regard to a particular measure, instituted a dispute settlement proceeding, either under paragraph 1 of Article 64 of this Agreement or under the WTO Agreement, it may not institute a dispute settlement proceeding regarding the same measure in the other forum until the first proceeding has ended. In addition, a Party shall not seek redress for the breach of an obligation which is identical under the Agreement and under the WTO Agreement in the two fora. In such case, once a dispute settlement proceeding has been initiated, the Party shall not bring a claim seeking redress for the breach of the identical obligation under the other agreement to the other forum, unless the forum selected fails for procedural or jurisdictional reasons to make findings on the claim seeking redress of that obligation.

5. For the purposes of paragraph 4:

- (a) dispute settlement proceedings under the WTO Agreement are deemed to be initiated by a Party's request for the establishment of a panel under Article 6 of the DSU and are deemed to be ended when the Dispute Settlement Body adopts the Panel's report, and the Appellate Body's report as the case may be, under Articles 16 and 17(14) of the DSU;
- (b) dispute settlement proceedings under this Section are deemed to be initiated by a Party's request for the establishment of an arbitration panel under paragraph 1 of Article 64 and are deemed to be ended when the arbitration panel notifies its ruling to the Parties and to the Cooperation Committee under Article 67.

6. Nothing in this Section shall preclude a Party from implementing the suspension of obligations authorised by the Dispute Settlement Body of the WTO. The WTO Agreement shall not be invoked to preclude a Party from suspending obligations under Title II of this Agreement.

Article 80

Time limits

1. All time limits laid down in this Section, including the limits for the arbitration panels to notify their rulings, shall be counted in calendar days, the first day being the day following the act or fact to which they refer.

2. Any time limit referred to in this Section may be extended by mutual agreement of the Parties.

TITLE III

AREAS OF COOPERATION

Article 81

Financial and technical assistance

1. In order to achieve the objectives of this Agreement Iraq shall benefit from financial and technical assistance from the Union in the form of grants to accelerate the economic and political transformation of Iraq.

2. This assistance shall be covered within the framework of the Union's development cooperation provided for in the relevant regulations of the European Parliament and of the Council.

The objectives and the areas of the Union's assistance shall be laid down in an indicative programme reflecting established priorities to be agreed between the two parties taking into account Iraq's development needs and strategies, sectoral absorption capacities and progress with reform.

3. The Parties shall ensure that technical assistance contributions from the Union are made in close coordination with those from other sources. The Union's development cooperation policy and international action are guided by the United Nations' Millennium Development Goals and the main

development objectives and principles in the context of the UN and other competent international organisations. In implementing the Union's development policy, full account shall be taken of the principles of Aid Effectiveness, including the Paris Declaration of 2 March 2005 and the Accra Agenda for Action.

4. Without prejudice to provisions on mutual legal assistance, the Party benefiting from technical or financial assistance shall promptly respond to requests for administrative cooperation by the competent authorities of the other Party, with a view to enhancing the fight against fraud and irregularities in the context of assistance from the Union.

5. The Government of Iraq shall ensure the appointment of an anti-fraud contact point. This contact point shall be responsible for effective cooperation with the Institutions and bodies of the Union, including the European Court of Auditors and the European Anti-fraud Office, in particular as regards the implementation of their audit and control measures in the field of the protection of the Union's financial interests.

Article 82

Social and human development cooperation

Cooperation in this area will affirm the social dimension of globalisation and recall the link between social development and economic development as well as with environmentally sustainable development. Cooperation will also underline the importance of poverty alleviation, the promotion of human rights and fundamental freedoms for all, including vulnerable groups and displaced and the response to core health, education and employment needs. Cooperation activities in all those areas will notably aim at focusing on capacity and institution building taking into account the principles of inclusiveness, good governance and sound and transparent management.

Article 83

Education, training and youth

1. The Parties shall endeavour to promote cooperation in education, training and youth towards mutual benefit, taking into account the availability of resources and promoting gender equality.

2. The Parties shall particularly encourage exchanges of information, know-how, students, scholars, technical resources, young people and youth workers and strengthening of capacities, while taking advantage of the facilities offered by the existing cooperation programmes as well as the experience that both Parties have acquired in this area.

3. Both Parties also agree to intensify cooperation between higher education institutions through such means as the

Erasmus Mundus programme with the aim of supporting excellence and internationalisation of their education systems.

Article 84

Employment and social development

1. The Parties agree to enhance cooperation in the field of employment and social affairs, including cooperation on social cohesion, decent work, health and safety at the workplace labour legislation, social dialogue, human resources development and gender equality, with a view to promote full and productive employment and decent work for all as key elements of sustainable development and poverty reduction.

2. The Parties reaffirm their commitments to promote and effectively implement internationally recognised labour and social standards. The implementation of relevant multilateral social and labour agreements shall be taken into account in all activities undertaken by the Parties under this Agreement.

3. The forms of cooperation may include, inter alia, specific programs and projects, as mutually agreed, as well as dialogue, capacity building, cooperation and initiatives on topics of common interest at bilateral or multilateral level.

4. The Parties agree to involve social partners and other relevant stakeholders in the dialogue and cooperation.

Article 85

Civil society

The Parties recognise the role and potential contribution of organised civil society, especially academics and links between think-tanks, in the dialogue and cooperation process under this agreement and agree to promote effective dialogue with organised civil society and its effective participation.

Article 86

Human Rights

1. The Parties agree to cooperate in the promotion and effective protection of human rights, including with regard to the ratification and implementation of international human rights instruments and the provision of technical assistance, training and capacity building as appropriate. The parties are aware that the impact of any cooperation and development program will be limited if it does not protect, enhance and respect human rights.

2. Cooperation on human rights may include, inter alia:

(a) strengthening governmental human rights related institutions and non-governmental organisations that are working in this field;

- (b) provision of human rights promotion and education at national and local level, especially among public administration, judiciary and law enforcement bodies, with respect to the rights of women and children;
- (c) development of the legislation of Iraq in compliance with international humanitarian and human rights law;
- (d) cooperation and information exchange within the human rights related institutions of the United Nations;
- (e) support to the Government of Iraq's efforts to provide a suitable standard of living to Iraqi citizens and safeguard their political, economic, social, and cultural rights without discrimination;
- (f) support to national reconciliation and fight against impunity;
- (g) establishment of a comprehensive human rights dialogue.

Article 87

Industrial and small and medium-sized enterprises policies cooperation

1. The aim of cooperation in this area must facilitate the restructuring and modernisation of Iraqi industry while fostering its competitiveness and growth and to create conditions favourable to mutually beneficial cooperation between industry in Iraq and the Union.

A. General

2. The cooperation shall:

- (a) foster a comprehensive industrial strategy in Iraq that takes into consideration the reality of the current state of industrial enterprises on the public and private sectors;
- (b) encourage Iraq to restructure and modernise its industry, under conditions ensuring environmental protection, sustainable development and economic growth;
- (c) foster an environment which favours private initiatives on the industrial field, with the aim of stimulating and diversifying output for the domestic and export markets;
- (d) promote an environment favourable to stimulate the growth and the diversification of industrial production in a sustainable development perspective;
- (e) work on the provision of information that serves the joint cooperation in industrial fields;
- (f) promote the use of Union and international technical regulations standards and conformity assessment procedures in

order to facilitate Iraq's integration into the global economy; establishing regular exchanges between both sides' standardisation and normalisation entities;

- (g) cooperate to create an appropriate industrial business environment;
- (h) promote and encourage the improvement of information support services as a key element of growth potential for business activities and economic development;
- (i) develop links between the Parties' industrial operators (companies, professionals, sectoral and other business organisations, organised labour, etc.);
- (j) encourage joint industrial projects and establish joint ventures and information networks.

B. Small and Medium-Sized Enterprises

3. The Parties, taking into account their respective economic policies and objectives, agree to promote industrial policy cooperation in all fields deemed suitable with a view to improving the competitiveness of small and medium-sized enterprises (SMEs).

4. The Parties shall:

- (a) aim to develop and strengthen SMSs and to promote the cooperation among SMEs;
- (b) develop assistance required by Micro-Enterprises and SMEs in areas such as financing, skills training, technology and marketing, innovation and other requirements for SMEs establishment, such as incubator parks, and other development areas;
- (c) support SMEs activities through relevant networking; and
- (d) facilitate business cooperation, supporting the relevant cooperation activities established by the private sectors of both sides through appropriate links between Iraqi and Union private sector operators in order to improve the flow of information.

Article 88

Cooperation in the field of investment

1. The Parties shall cooperate to establish a favourable climate for investments, both domestic and foreign, to provide adequate protection for investment, the transfer of capital and the exchange of the information on investment opportunities.

2. The Parties agree to support the promotion and protection of investments on the basis of the principles of non-discrimination and reciprocity.

3. The Parties shall encourage the exchange of information on laws, regulations and administrative practices in the field of investments.

4. The Parties undertake to encourage cooperation between their respective financial institutions to facilitate investments opportunities.

5. In order to facilitate investment and trade, the Union is ready to assist Iraq, when requested, in its endeavours to bring its legislative and regulatory frameworks closer to those of the Union in the areas covered by this Agreement.

Article 89

Industrial standards and conformity assessment

The Parties may cooperate in the following areas of standards, technical regulations and conformity assessment:

1. Promotion of greater use of international standards in technical regulations and conformity assessment, including sector specific measures, in the Parties' territories, and increasing cooperation between the Parties in relation to the work of relevant international institutions and organisations;
2. Support for capacity building initiatives in the fields of standardisation, conformity assessment, accreditation, metrology and market surveillance in Iraq;
3. Promoting and encouraging bilateral cooperation between organisations in Iraq and the Union responsible for standardisation, conformity assessment, accreditation, metrology and market surveillance;
4. Developing common views on good regulatory practices, including, but not limited to:
 - (a) Transparency in the preparation, adoption and application of technical regulations, standards and conformity assessment procedures;
 - (b) Necessity and proportionality of regulatory measures and related conformity assessment procedures, including the use of suppliers declaration of conformity;
 - (c) Use of international standards as a basis for setting up technical regulations, except where such international standards would be an ineffective or inappropriate means for the fulfilment of the legitimate objectives pursued;
 - (d) Enforcement of technical regulations and market surveillance activities;
5. Enhancing regulatory, technical and scientific cooperation by, *inter alia*, exchanging information, experiences and data, with a view to improving the quality and level of technical regulations and making efficient use of regulatory resources;

6. Developing the compatibility and convergence of technical regulations, standards and conformity assessment procedures.

Article 90

Cooperation on agriculture, forestry and rural development

The objective is to promote cooperation in the agriculture, forestry and rural development sectors with a view to promoting diversification, environmentally sound practices, sustainable economic and social development and food security. To this end the Parties will examine:

- (a) capacity building and training to public institutions;
- (b) measures aimed at enhancing the quality of agricultural products, capacity building measures for producers associations and supporting trade promotion activities;
- (c) environmental health, animal and plant health measures and other related aspects, taking account of the legislation in force for both parties, in compliance with WTO and multilateral environmental agreement rules;
- (d) measures relating to sustainable economic and social development of rural territories, including environmentally sound practices, forestry, research, transfer of know-how, access to land, water management and irrigation, sustainable rural development and food security;
- (e) measures relating to preservation of agricultural traditional knowledge that give their populations their specific identities, including cooperation on geographical indications, exchanges of experiences at local level and development of cooperation networks;
- (f) modernisation of agricultural sector including farming practices and diversification of agricultural production.

Article 91

Energy

1. The Parties endeavour to enhance cooperation in the energy sector in respect of the principles of free, competitive and open energy markets with the aim to:
 - (a) Enhancing energy security while ensuring environmental sustainability and promoting economic growth;
 - (b) Developing institutional, legislative and regulatory frameworks in the energy sector, to ensure efficient energy market functioning and promoting energy investments;
 - (c) Developing and promoting partnerships between companies in the Union and Iraq in the field of exploration, production, processing, transportation, distribution and services in the energy sector;

(d) Developing a regular and effective energy dialogue between the Parties and in the regional context, including through the Euro-Arab Mashreq Gas Market and other relevant regional initiatives.

2. To this end, the Parties agree to promote mutually beneficial contacts with a view to:

- (a) supporting the development of appropriate energy policy, its regulatory framework and infrastructure in Iraq, founded on principles of environmental sustainability, sound management of energy resources and on free, competitive and open market;
- (b) cooperating towards improving administrative and legal capabilities and towards establishing stable and transparent legal framework conditions to stimulate economic activity and international energy investments in Iraq;
- (c) fostering technical cooperation for the exploration and field development of the Iraqi oil and natural gas reserves, as well as for the development and modernisation of the oil and gas infrastructure, including transport and transit networks to the Mashreq region, other relevant regional initiatives and towards the market in the Union;
- (d) improving the reliability of the electricity supply system in Iraq;
- (e) enhancing cooperation to improve energy security and to combat climate change, through the promotion of renewable energy sources, energy efficiency and reduction of gas-flaring;
- (f) facilitating the exchange of know-how and the transfer of technology, best practices as well as training professionals;
- (g) promoting Iraq's participation in the process of regional integration of the energy markets.

Article 92

Transport

1. The Parties endeavour to enhance cooperation in the transport sector in respect of the establishment of a sustainable and efficient transport system, with the aim to:

- (a) enhancing transport development and interconnections while ensuring environmental sustainability and promoting economic growth;
- (b) developing institutional, legislative and regulatory frameworks in all transport sectors, to ensure efficient transport market functioning and promoting transport investments;
- (c) developing and promoting partnerships between companies in the Union and in Iraq in the field of exploration, capacity building, infrastructure developments, transport safety and security and services in the transport sector;
- (d) developing a regular and effective transport dialogue between the Parties and in the regional context, including

through the Euro-Mediterranean transport cooperation and other relevant regional initiatives.

2. To this end, the Parties agree to promote mutually beneficial contacts with a view to:

- (a) supporting the development of appropriate transport policy for the development of all modes of transport, its regulatory framework and the rehabilitation and development of transport infrastructures in Iraq, emphasising the importance of sustainability; ensure intermodality and integration of all transport modes; examine the possibility of further approximation of legislative and regulatory frameworks with Union and International standards, in particular for safety and security;
- (b) cooperating in improving/re-establishing the administrative and legal capabilities in view to prepare specific plans for priority sectors and to establish stable and transparent legal framework conditions to stimulate transport economic activity and international transport investment in Iraq, on the basis of Union policies and practices; and develop the necessary independent regulatory authorities;
- (c) fostering technical cooperation for the exploration and development of all transport sectors in Iraq, as well as for the development and modernisation of transport infrastructures, including the interconnections to the transport networks to the Mashreq region, other relevant regional initiatives and towards the Union market;
- (d) improving the reliability of the transport flows towards and through Iraq;
- (e) facilitating the exchange of know-how and the transfer of technology, best practices as well as training professionals, are essential steps of cooperation and should be tackled in priority;
- (f) promoting Iraq's participation in the process of interconnection to the transport regional systems;
- (g) implementing a national aviation policy including the development of the airports, air traffic management and further reinforce administrative capacity (including the establishment of an autonomous Civil Aviation Authority as a genuine regulator); negotiate a 'horizontal' air transport agreement in order to restore legal certainty to bilateral air services agreements; and explore the opportunities for negotiations on a comprehensive Union-Iraq aviation agreement.

Article 93

Environment

1. The Parties agree on the need to strengthen and enhance environmental protection efforts, for example on climate change, sustainable natural resource management, and the safeguarding of biological diversity as a basis for the development of current and future generations.

2. The Parties agree that cooperation in this field should promote environmental protection in pursuit of sustainable development. The agreed outcome of the World Summit on Sustainable Development shall be taken into account in all activities undertaken by the Parties under this agreement.

3. Cooperation in this field should focus, *inter alia*, on:

- (a) exchanging information and expertise in the area of environment (for example on urban issues, nature protection, water and waste management, disaster management, etc.);
- (b) encouraging and promoting regional cooperation in the field of environmental protection, including encouraging investments in environmental projects and programmes;
- (c) promoting environmental awareness and enhanced participation of local communities in environmental protection and sustainable development efforts;
- (d) supporting capacity building in the field of environment, for example climate change mitigation and adaptation;
- (e) cooperating in the negotiation and implementation of Multilateral Environmental Agreements;
- (f) encouraging the exchange of technical assistance in environmental programming and in integrating environmental considerations into other policy areas;
- (g) supporting environmental research and analysis.

Article 94

Telecommunications

The Parties shall cooperate:

- (a) to foster enhanced exchange of information regarding the applicable legislation and possible future legislative reforms in the telecommunications sector in order to allow a better understanding of each other's regulatory framework on telecommunications;
- (b) to exchange information on developments in information and communications technology and standards.

Article 95

Science and technology

1. The Parties shall promote cooperation in civil scientific research and technological development (RTD) on the basis of mutual benefit and, taking into account the availability of resources, adequate access to their respective research programmes and subject to appropriate levels of effective protection of intellectual, industrial and commercial property rights.

2. Science and technology cooperation shall cover:

- (a) the exchange of scientific and technical cooperation programmes;
- (b) the organisation of joint scientific meetings;

(c) Joint RTD activities;

(d) training activities and mobility programmes for scientists, researchers and technicians engaged in RTD on both sides.

3. Such cooperation shall be implemented according to specific arrangements to be negotiated and concluded in accordance with the procedures by each Party, and which shall set out, *inter alia*, appropriate intellectual property rights provisions.

Article 96

Customs and Tax cooperation

1. The Parties will establish cooperation in the customs field in particular in the areas of training, simplification of customs formalities, documentation and procedures, prevention, investigation and repression of infringements of the rules on customs matters with the aim of guaranteeing compliance with all the provisions scheduled for adoption in connection with trade and to achieve the approximation of Iraq's customs system to that of the Union.

2. Without prejudice to their respective competences, and with a view to strengthening and developing economic activities while taking into account the need to develop an appropriate regulatory framework, the Parties recognise and commit themselves to implement the principles of good governance in the tax area, namely the principles of transparency, exchange of information and fair tax competition. To that effect, in accordance with their respective competences, the Parties will improve international cooperation in the tax area and develop measures for the effective implementation of the above-mentioned principles.

Article 97

Statistical cooperation

The Parties agree to promote cooperation activities in the field of statistics. These will be oriented towards institution and capacity building and strengthening of the national statistical system, including the development of statistical methods and the production and dissemination of statistics on trade in goods and services and, more generally, on any other area in support of the national social and economic development priorities covered by this Agreement and lending themselves to statistical processing.

Article 98

Macro-economic stability and public finances

1. The Parties agree on the importance to achieve macro-economic stability in Iraq through a sound monetary policy aimed at achieving and maintaining price stability, as well as through fiscal policy aimed at achieving debt sustainability.

2. The Parties agree on the importance to achieve public expenditure effectiveness, transparency and accountability at the national and the local level in Iraq.

3. The Parties agree to cooperate inter alia to improve the Iraqi public finance management system that aims, among others, at the comprehensiveness of the budget planning and a single treasury account.

Article 99

Development of the private sector

The Parties agree to cooperate in order to develop a market economy in Iraq, by enhancing the investment climate, diversifying the economic activity, booking progress with the privatisation program and by improving other conditions for accelerating private sector job creation.

Article 100

Tourism

1. The Parties call for efforts to improve their cooperation to ensure a balanced and sustainable development of tourism and related issues.

2. Therefore the Parties agree on developing cooperation in the field of tourism and especially to exchange information, experience and best practices regarding the organisation of the institutional framework in the tourism sector and regarding the general environment in which tourism enterprises operate.

Article 101

Financial services

The Parties shall cooperate with the view to the approximation of their standards and rules, in particular:

- (a) to strengthen the financial sector in Iraq;
- (b) to improve accounting and supervisory and regulatory systems of banking, insurance and other financial sectors in Iraq;
- (c) exchange of information on the respective laws in force or under preparation;
- (d) developing compatible auditing systems.

TITLE IV

JUSTICE, FREEDOM AND SECURITY

Article 102

Rule of Law

1. In their cooperation in the area of justice, freedom and security the Parties shall show a constant commitment to, and attach particular importance to the principle of the rule of law, including the independence of the judiciary, access to justice, and the right to a fair trial.

2. The Parties will cooperate to further develop the functioning of institutions in the areas of law enforcement and the administration of justice including by capacity building.

Article 103

Legal Cooperation

1. The Parties agree to develop judicial cooperation in civil matters, in particular as regards the ratification and implementation of multilateral conventions on civil judicial cooperation and, in particular, the Conventions of the Hague Conference on Private International Law in the field of international legal cooperation and litigation as well as the protection of children.

2. The Parties agree to facilitate and encourage alternative means of dispute resolution for civil and commercial disputes whenever possible according to the applicable international instruments.

3. As regards criminal matters, the Parties will seek to enhance judicial cooperation on mutual legal assistance and extradition. This would include, where appropriate, accession to, and implementation of, the relevant international instruments of the United Nations including the Rome Statute of the International Criminal Court as referred to in Article 7 of this Agreement.

Article 104

Personal Data Protection

1. The Parties agree to cooperate in order to improve the level of protection of personal data to the highest international standards, such as, inter alia, the United Nations Guidelines for the Regulation of Computerised Personal Data Files (UN General Assembly Resolution 45/95 of 14 December 1990).

2. Cooperation on protection of personal data may include, inter alia, technical assistance in the form of exchange of information and expertise.

Article 105

Cooperation on Migration and Asylum

1. The Parties reaffirm the importance, which they attach to a joint management of migration flows between their territories. With a view to strengthening cooperation between them, they shall establish a comprehensive dialogue on all migration-related issues, including illegal migration, smuggling of migrants and trafficking in human beings, as well as the inclusion of the migration concerns in the national strategies for economic and social development of the areas from which migrants originate.

2. Cooperation shall be based on a specific needs assessment conducted in mutual consultation between the Parties and be implemented in accordance with the relevant Union and national legislation in force. It will, in particular, focus on:

- (a) the root causes of migration;

- (b) the development and implementation of national legislation and practices as regards international protection, with a view to satisfying the provisions of the Geneva Convention of 1951 related to the status of refugees and of the Protocol of 1967 and other relevant international instruments, and to ensuring the respect of the principle of 'non-refoulement', while recognising that Iraq is not yet a State Party to the Geneva Convention of 1951 related to the status of refugees and of the Protocol of 1967, but that it is considering the possibility of acceding to them in the future;
 - (c) the admission rules and rights and status of persons admitted, fair treatment and integration of lawfully residing non-nationals, education and training and measures against racism and xenophobia;
 - (d) the establishment of an effective and preventive policy against illegal migration, smuggling of migrants and trafficking in human beings including the issue of how to combat networks of smugglers and traffickers and how to protect the victims of such trafficking;
 - (e) the return, under humane and dignified conditions, of persons residing illegally including the promotion of their voluntary return, and the readmission of such persons, in accordance with paragraph 3;
 - (f) the field of visas, on issues identified as being of mutual interest, in the framework of existing Schengen *acquis*;
 - (g) the field of border management and control, on issues related to organisation, training, best practices and other operational measures on the ground and where relevant, equipment, while being aware of the potential dual use of such equipment.
3. In the framework of the cooperation to prevent and control illegal immigration, the Parties also agree to readmit their illegal migrants. To this end:
- (a) Iraq shall readmit any of its nationals who do not, or who no longer, fulfill the conditions in force for entry to, presence in, or residence on the territory of a Member State of the Union, upon request by the latter and without further formalities;
 - (b) and each Member State of the Union shall readmit any of its nationals who do not, or who no longer, fulfill the conditions in force for entry to, presence in, or residence on the territory of Iraq, upon request by the latter and without further formalities;
4. The Member States of the Union and Iraq will provide their nationals with appropriate documents confirming identity in order to permit travel for such purposes. Where the person to be readmitted does not possess any documents or other

proofs of his or her nationality, the competent diplomatic and consular representations, of the Member State concerned or Iraq shall, upon request of Iraq or the Member State concerned, make arrangements to interview the person in order to establish his or her nationality.

5. In this context, the Parties agree to conclude, upon request by either Party as defined in the Article 122 and as soon as possible, an agreement on preventing and controlling illegal migration and regulating the specific procedures and obligations for readmission, covering also, if deemed appropriate by both Parties, the readmission of nationals of other countries and stateless persons.

6. Cooperation in this area will take place in full respect of the rights, obligations and responsibilities of the Parties arising from relevant International Law and International Humanitarian Law.

Article 106

Combating Organised Crime and Corruption

The Parties agree to cooperate on and contribute to the fight against organised, economic and financial crime and corruption, counterfeiting and illegal transactions, through full compliance with their existing mutual international obligations in this area including on effective cooperation in the recovery of assets or funds derived from acts of corruption. The Parties will promote the implementation of the UN Convention on Transnational Organised Crime and its supplementing Protocols and the UN Convention against Corruption.

Article 107

Combating Money Laundering and Terrorist Financing

1. The Parties agree on the need to work towards and to cooperate on preventing the use of their financial systems to launder the proceeds of all criminal activities including drug trafficking and corruption and to the financing of terrorism.

2. The Parties agree to cooperate on technical and administrative assistance aimed at the development and implementation of regulations and the effective functioning of mechanisms to combat money laundering and financing of terrorism. This cooperation extends to the recovery of assets or funds derived from the proceeds of crimes.

3. The cooperation shall allow exchanges of relevant information within the framework of respective legislations and the adoption of appropriate standards to combat money laundering and financing of terrorism equivalent to those adopted by the Financial Action Task Force on Money Laundering (hereinafter referred to as 'FATF') and by the Union and relevant international bodies active in this area.

*Article 108***Combating Illicit Drugs**

1. In accordance with their respective laws and regulations, the Parties will aim at reducing the supply and trafficking of, and demand for, illicit drugs as well as their impact on drug users and society at large and to achieve a more effective prevention of diversion of chemical precursors used for the illicit manufacture of narcotic drugs and psychotropic substances. In their cooperation, the Parties shall ensure that a comprehensive and balanced approach is taken in pursuing this aim through legal market regulations and effective action and coordination between the competent authorities including those from the health, education, social, law enforcement and justice sectors.

2. The Parties shall agree on means of cooperation to attain these objectives. Actions shall be based on commonly agreed principles along the lines of the relevant international conventions, the Political Declaration and the Special Declaration on the guiding principles of drug demand reduction, approved by the Twentieth United Nations General Assembly Special Session on Drugs in June 1998.

*Article 109***Cultural cooperation**

1. The Parties undertake to promote bilateral cooperation in the field of culture, in order to enhance mutual understanding and foster cultural relations between the Parties.

2. The Parties support the exchange of information and expertise, as well as initiatives, contributing to increased capacity building, in particular as regards the preservation of cultural heritage.

3. The Parties will intensify cooperation as regards the fight against illicit trafficking of cultural property, in accordance with

relevant UN Security Council Resolutions concerning Iraq. They will promote the ratification and effective implementation of relevant international agreements, including the 1970 Unesco Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property.

4. The Parties shall encourage intercultural dialogue between individuals, cultural institutions and organisations representing organised civil society from the Union and Iraq.

5. The Parties shall coordinate their efforts in international forums, including in the context of UNESCO, and/or other international bodies, with a view to promoting cultural diversity, in particular on the ratification and implementation of the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions.

*Article 110***Regional cooperation**

1. The Parties agree that cooperation should help to facilitate and support Iraq's stability and regional integration. To such an end they agree to promote activities aimed at strengthening relations with Iraq, its neighbouring countries and other regional partners.

2. The parties agree that cooperation between them may include actions undertaken under cooperation agreements with other countries in the same region, provided that such action is compatible with this agreement and in their interests.

3. Without excluding any area, the Parties agree to give particular consideration to the following actions:

(a) the promotion of intra-regional trade;

(b) support for regional institutions and for joint projects and initiatives established under relevant regional organisations.

TITLE V

INSTITUTIONAL, GENERAL AND FINAL PROVISIONS

*Article 111***Cooperation Council**

1. A Cooperation Council is hereby established which shall supervise the implementation of this Agreement. It shall meet at ministerial level once a year. It shall examine any major issues arising within the framework of this Agreement and any other bilateral or international issues of mutual interest for the purpose of attaining the objectives of this Agreement. The Cooperation Council may also make appropriate recommendations, by mutual agreement between the two Parties.

2. The Cooperation Council shall consist of the representatives of the Parties.

3. The Cooperation Council shall establish its rules of procedure.

4. Either Party may refer to the Cooperation Council any dispute relating to the application or interpretation of this Agreement.

5. The Cooperation Council may settle the dispute by means of a recommendation.

6. The provisions of this Article shall in no way affect and are without prejudice to specific provisions regarding settlement of disputes under Title II of this Agreement.

*Article 112***Cooperation Committee and specialised sub-committees**

1. A Cooperation Committee is hereby established composed of representatives of the Parties and with a view to assist the Cooperation Council in its duties.

2. The Cooperation Council may decide to set up any other specialised sub-committee or body that can assist it in carrying out its duties and shall determine the composition and duties of such committees or bodies and how they shall function.

Article 113

Parliamentary Cooperation Committee

1. A Parliamentary Cooperation Committee is hereby established. It shall be a forum for Members of the Iraqi Parliament and the European Parliament to meet and exchange views.

2. The Parliamentary Cooperation Committee shall consist of Members of the European Parliament, on the one hand, and of Members of the Iraqi Parliament, on the other.

3. The Parliamentary Cooperation Committee shall be informed of the recommendations of the Cooperation Council.

4. The Parliamentary Cooperation Committee may make recommendations to the Cooperation Council.

Article 114

Facilities

To facilitate cooperation in the framework of this Agreement, both Parties agree to grant necessary facilities to duly authorised experts and officials involved in implementing cooperation for the performance of their functions, in accordance with internal rules and regulations of both Parties.

Article 115

Territorial application

This Agreement shall apply, on the one hand, to the territories in which the Treaty on European Union and the Treaty of the Functioning of the European Union are applied and under the conditions laid down in those Treaties and, on the other, to the territory of Iraq.

Article 116

Entry into force and renewal

1. This Agreement shall enter into force on the first day of the month following the date of receipt, by the depositary, of the last of the notifications by the Parties of the completion of the procedures necessary for this purpose.

2. This Agreement is concluded for a period of 10 years. It shall be automatically renewed on a yearly basis unless one of the Parties renounces it at least six months before its expiry date. The termination shall take effect six months after receipt of the notification by the other Party. Such termination shall not affect ongoing projects commenced under this Agreement prior to the receipt of the notification.

Article 117

Provisional Application

1. Notwithstanding Article 116, the Union and Iraq agree to apply Article 2, and Titles II, III and V of this Agreement from the first day of the third month following the date on which the Union and Iraq have notified each other of the completion of

the procedures necessary for this purpose. Notifications shall be sent to the Secretary-General of the Council of the European Union, who shall be the depositary of this agreement.

2. Where in accordance with paragraph 1, a provision of this Agreement is applied by the Parties pending its entry into force, any reference in such provision to the date of entry into force of this Agreement shall be understood to be made to the date from which the Parties agree to apply that provision in accordance with paragraph 1.

Article 118

Non-discrimination

In the fields covered by this Agreement and without prejudice to any special provisions contained therein:

- (a) the arrangements applied by Iraq in respect of the Union shall not give rise to any discrimination between the Member States, their nationals or their companies or firms;
- (b) the arrangements applied by the Union in respect of Iraq shall not give rise to discrimination between Iraqi nationals or its companies or firms.

Article 119

Evolutive clause

1. The Parties may by mutual consent amend, revise, and expand this Agreement with a view to enhancing the level of cooperation, including through supplementing it by means of agreements or protocols on specific sectors or activities.

2. With regard to the implementation of this Agreement, either of the Parties may put forward suggestions for widening the scope of cooperation, taking into account the experience gained in its application. Any widening of the scope of the cooperation under this Agreement will be decided at the Cooperation Council.

Article 120

Other Agreements

1. Without prejudice to the relevant provisions of the Treaty on European Union and the Treaty on the Functioning of the European Union, neither this Agreement nor action taken hereunder shall in any way affect the powers of the Member States to undertake bilateral cooperation activities with Iraq or to conclude, where appropriate, new cooperation agreements with Iraq.

2. This Agreement shall not affect the application or implementation of commitments undertaken by the respective Parties in relations with third parties.

Article 121

Non-execution of agreement

1. The Parties shall adopt any general or specific measures required for them to fulfill their obligations under this Agreement and shall ensure that they comply with the objectives laid down in this Agreement.

2. If one of the Parties considers that the other Party has failed to fulfill an obligation under this Agreement it may take appropriate measures. Before doing so, it must supply the Cooperation Council within 30 days with all the relevant information required for a thorough examination of the situation with a view to seeking a solution acceptable to the Parties.

In this selection of measures, priority must be given to those which least disturb the functioning of this Agreement. These measures shall be notified immediately to the Cooperation Council and shall be the subject of consultations in the Cooperation Council if the other Party so requests.

3. By way of derogation from paragraph 2, any Party may immediately take appropriate measures in accordance with international law in case of:

- (a) denunciation of this Agreement not sanctioned by the general rules of international law;
- (b) violation by the other Party of the essential elements of this Agreement referred to in Articles 2 and 5.

The other Party may ask that an urgent meeting be called to bring the Parties together within 15 days for a thorough examination of the situation with a view to seeking a solution acceptable to the Parties.

4. By way of derogation from paragraph 2, if one of the Parties considers that the other Party has failed to fulfil an obligation under Title II of this agreement, it shall exclusively

have recourse to, and abide by, the dispute settlement procedures established under Section VI of Title II of this Agreement.

Article 122

Definition of the Parties

For the purposes of this Agreement, 'the Parties' shall mean the Union or its Member States or the Union and its Member States, in accordance with their respective powers, on the one hand, and Iraq, on the other.

Article 123

Authentic texts

This Agreement is drawn up in duplicate in the Bulgarian, Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Maltese, Polish, Portuguese, Romanian, Slovak, Slovene, Spanish, Swedish and Arabic languages, each of these texts being equally authentic. In the event of contradiction, reference shall be made to the language in which this Agreement has been negotiated, namely English.

Article 124

Annexes, appendices, protocols and notes

The Annexes, Appendices, Protocols and Notes to this Agreement shall form an integral part thereof.

Съставено в Брюксел на единадесети май две хиляди и дванадесета година.

Hecho en Bruselas, el once de mayo de dos mil doce.

V Bruselu dne jedenáctého května dva tisíce dvanáct.

Udfærdiget i Bruxelles den ellefte maj to tusind og tolv.

Geschehen zu Brüssel am elften Mai zweitausendzwölf.

Kahe tuhande kaheteistkümnenda aasta maikuu üheteistkümnendal päeval Brüsselis.

Έγινε στις Βρυξέλλες, στις ένδεκα Μαΐου δύο χιλιάδες δώδεκα.

Done at Brussels on the eleventh day of May in the year two thousand and twelve.

Fait à Bruxelles, le onze mai deux mille douze.

Fatto a Bruxelles, addì undici maggio duemiladodici.

Briselē, divi tūkstoši divpadsmitā gada vienpadsmitajā maijā.

Priimta du tūkstančiai dvyliktų metų gegužės vienuoliką dieną Briuselyje.

Kelt Brüsszelben, a kétezer-tizenkettedik év május havának tizenegyedik napján.

Magħmul fi Brussell, fil-ħdax-il jum ta' Mejju tas-sena elfejn u tnax.

Gedaan te Brussel, de elfde mei tweeduizend twaalf.

Sporządzono w Brukseli dnia jedenastego maja roku dwa tysiące dwunastego.

Feito em Bruxelas, em onze de maio de dois mil e doze.

Întocmit la Bruxelles la unsprezece mai două mii doisprezece.

V Bruseli dňa jedenásteho mája dvetisícdivanásť.

V Bruslju, dne enajstega maja leta dva tisoč dvanajst.

Tehty Brysselissä yhdenentoista päivänä toukokuuta vuonna kaksituhattakaksitoista.

Som skedde i Bryssel den elfte maj tjugohundratolv.

تم التوقيع في بروكسل في اليوم الحادي عشر من شهر ايار من عام الفين واثنى عشر.

Voor het Koninkrijk België
Pour le Royaume de Belgique
Für das Königreich Belgien

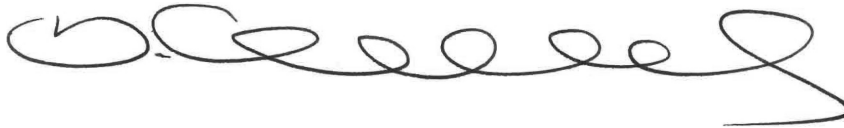


Deze handtekening verbindt eveneens de Vlaamse Gemeenschap, de Franse Gemeenschap, de Duitstalige Gemeenschap, het Vlaamse Gewest, het Waalse Gewest en het Brussels Hoofdstedelijk Gewest

Cette signature engage également la Communauté française, la Communauté flamande, la Communauté germanophone, la Région wallonne, la Région flamande et la Région de Bruxelles-Capitale.

Diese Unterschrift bindet zugleich die Deutschsprachige Gemeinschaft, die Flämische Gemeinschaft, die Französische Gemeinschaft, die Wallonische Region, die Flämische Region und die Region Brüssel- Hauptstadt.

За Република България



Za Českou republiku



For Kongeriget Danmark



Für die Bundesrepublik Deutschland



Eesti Vabariigi nimel

Munas Patel

Thar cheann Na hÉireann
For Ireland

Rory Higgins

Για την Ελληνική Δημοκρατία



Por el Reino de España

h. r.

Pour la République française



Per la Repubblica italiana



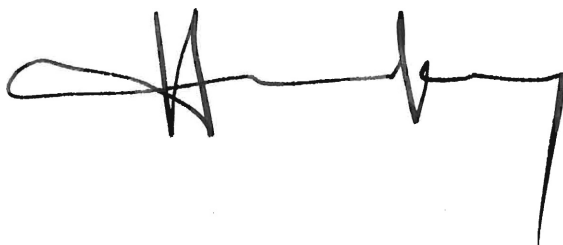
Για την Κυπριακή Δημοκρατία,



Latvijas Republikas vārdā –



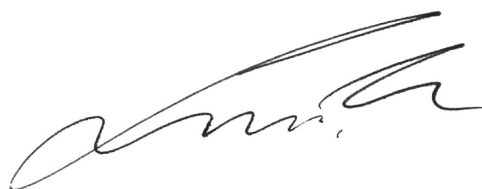
Lietuvos Respublikos vardu



Pour le Grand-Duché de Luxembourg



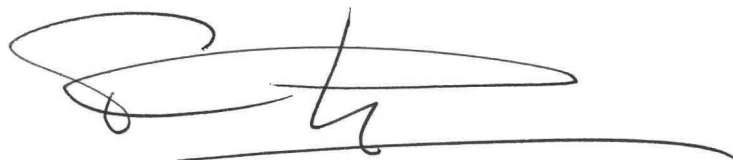
A Magyar Köztársaság részéről



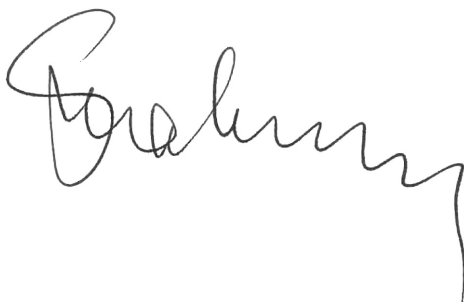
Għar Malta



Voor het Koninkrijk der Nederlanden



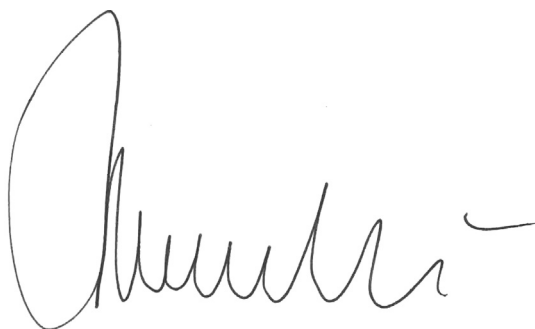
Für die Republik Österreich



W imieniu Rzeczypospolitej Polskiej



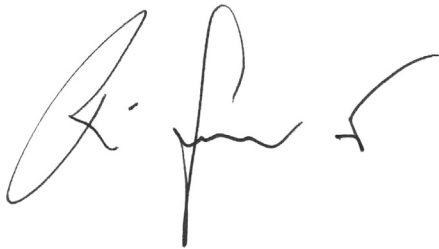
Pela República Portuguesa



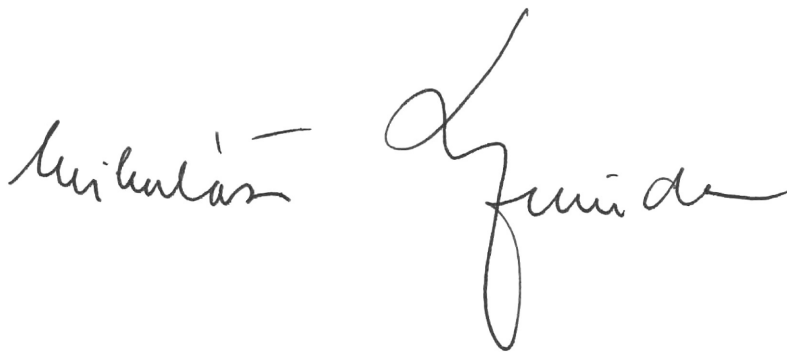
Pentru România



Za Republiko Slovenijo



Za Slovenskú republiku



Suomen tasavallan puolesta

För Republiken Finland



För Konungariket Sverige



For the United Kingdom of Great Britain and Northern Ireland



За Европейския съюз
Por la Unión Europea
Za Evropskou unii
For Den Europæiske Union
Für die Europäische Union
Euroopa Liidu nimel
Για την Ευρωπαϊκή Ένωση
For the European Union
Pour l'Union européenne
Per l'Unione europea
Eiropas Savienības vārdā –
Europos Sąjungos vardu
Az Európai Unió részéről
Għall-Unjoni Ewropea
Voor de Europese Unie
W imieniu Unii Europejskiej
Pela União Europeia
Pentru Uniunea Europeană
Za Európsku úniu
Za Evropsko unijo
Euroopan unionin puolesta
För Europeiska unionen

عبد الله محمد زبير

عن جمهورية العراق

عبد الله محمد زبير

ANNEX 1

PUBLIC PROCUREMENT

Appendix I

Covered procurements

Sub - Annex 1

Central government entities which procure in accordance with the provisions of Chapter II of Section V of Title II of this Agreement

Goods

Thresholds SDR 130 000

Services (specified in Sub-Annex 3)

Thresholds SDR 130 000

Works (specified in Sub-Annex 4)

Thresholds SDR 5 000 000

Commitments by Iraq

1. All central government entities, including any sub-ordinate entity of any central government entity and all other entities whose procurement policies are controlled by, dependent on, or influenced by central government and all other entities, financed by the central government or they are subject to management supervision by the central government.
2. Indicative list of these entities (precise titles are subject to change):

Ministry of Agriculture

Ministry of Communications

National Communications and Media Commission

The Commission on Public Integrity

Ministry of Culture

Ministry of Defense

Ministry of Migration

Ministry of Education

Ministry of Electricity

Ministry of Environment

Ministry of Finance

Ministry of Foreign Affairs

Ministry of Health

Ministry of Higher Education and Scientific Research

Ministry of Construction and housing (and all its SOE's)

Ministry of Human Rights

Ministry of Industry and Minerals (and all its SOE's)

Ministry of Interior

Ministry of Justice
 Ministry of Labor and Social Affairs
 Ministry of Municipalities and Public Works
 Ministry of Oil
 Ministry of Planning and Development Cooperation
 Ministry of Science and Technology
 Ministry of Trade
 Ministry of Transportation
 Ministry of Water Resources
 Ministry of Youth and Sport
 Ministry of State for Tourism and Antiquities
 Ministry of State for Provincial Affairs
 Ministry of State for Women's Affairs
 Central Bank of Iraq
 State Universities

Commitments by the Union

Union entities:

1. The Council of the European Union
2. The European Commission

1. All central government Ministries and Bodies governed by public law

For the Union, a body governed by public law means any body:

- established for the specific purpose of meeting needs in the general interest, not having an industrial or commercial character, and
- having legal personality, and
- financed for the most part by the State or regional or local authorities or other bodies governed by public law or subject to management and supervision by those bodies or having an administrative, managerial or supervisory board, more than half of whose members are appointed by the State, regional, local authorities or by other bodies governed by public law.

2. The following central government entities which procure in accordance with the provisions of Chapter II of Section V of Title II of this Agreement (indicative list):

INDICATIVE LIST OF CONTRACTING AUTHORITIES WHICH ARE CENTRAL GOVERNMENT AUTHORITIES AS DEFINED BY EC PROCUREMENT DIRECTIVE

Belgium

1. Services publics fédéraux (Ministères):	1. Federale Overheidsdiensten (ministeries):
SPF Chancellerie du Premier ministre;	FOD Kanselarij van de Eerste Minister;
SPF Personnel et organisation;	FOD Personeel en Organisatie;
SPF Budget et Contrôle de la Gestion;	FOD Budget en Beheerscontrole;
SPF Technologie de l'information et de la communication (Fedict);	FOD Informatie- en Communicatietechnologie (Fedict);
SPF Affaires étrangères, commerce extérieur et coopération au développement;	FOD Buitenlandse Zaken, Buitenlandse Handel en Ontwikkelingssamenwerking;
SPF Intérieur;	FOD Binnenlandse Zaken;
SPF Finances;	FOD Financiën;

SPF Mobilité et transports;	FOD Mobiliteit en Vervoer;
SPF Emploi, travail et concertation sociale;	FOD Werkgelegenheid, Arbeid en Sociaal overleg;
SPF Sécurité Sociale et institutions publiques de sécurité sociale;	FOD Sociale Zekerheid en Openbare Instellingen van Sociale Zekerheid;
SPF Santé publique, sécurité de la chaîne alimentaire et environnement;	FOD Volksgezondheid, Veiligheid van de Voedselketen en Leefmilieu;
SPF Justice;	FOD Justitie;
SPF Economie, PME, classes moyennes et energie;	FOD Economie, KMO, Middenstand en Energie;
Ministère de la Défense;	Ministerie van Defensie;
Service public de programmation Intégration sociale, lutte contre la pauvreté et économie sociale;	Programmatorische Federale Overheidsdienst Maatschappelijke Integratie, Armoedsbestrijding en Sociale Economie;
Service public fédéral de programmation Développement durable;	Programmatorische Federale Overheidsdienst Duurzame Ontwikkeling;
Service public fédéral de programmation Politique scientifique.	Programmatorische Federale Overheidsdienst Wetenschapsbeleid.
2. Régie des Bâtiments:	2. Regie der Gebouwen:
Office national de Sécurité sociale;	Rijksdienst voor Sociale Zekerheid;
Institut national d'Assurance sociales pour travailleurs indépendants;	Rijksinstituut voor de Sociale Verzekeringen der Zelfstandigen;
Institut national d'Assurance Maladie-Invalidité;	Rijksinstituut voor Ziekte- en Invaliditeitsverzekering;
Office national des Pensions;	Rijksdienst voor Pensioenen;
Caisse auxiliaire d'Assurance Maladie-Invalidité;	Hulpkas voor Ziekte-en Invaliditeitsverzekering;
Fond des Maladies professionnelles;	Fonds voor Beroepsziekten;
Office national de l'Emploi.	Rijksdienst voor Arbeidsvoorziening.

Bulgaria

- Администрация на Народното събрание
- Администрация на Президента
- Администрация на Министерския съвет
- Конституционен съд
- Българска народна банка
- Министерство на външните работи
- Министерство на вътрешните работи
- Министерство на държавната администрация и административната реформа
- Министерство на извънредните ситуации
- Министерство на земеделието и храните
- Министерство на здравеопазването
- Министерство на икономиката и енергетиката
- Министерство на културата
- Министерство на образованието и науката
- Министерство на околната среда и водите
- Министерство на отбраната
- Министерство на правосъдието

- Министерство на регионалното развитие и благоустройството
- Министерство на транспорта
- Министерство на труда и социалната политика
- Министерство на финансите

State agencies, state commissions, executive agencies and other state authorities established by law or by Council of Ministers' decree having a function relating to the exercise of executive power:

- Агенция за ядрено регулиране
- Висша атестационна комисия
- Държавна комисия за енергийно и водно регулиране
- Държавна комисия по сигурността на информацията
- Комисия за защита на конкуренцията
- Комисия за защита на личните данни
- Комисия за защита от дискриминация
- Комисия за регулиране на съобщенията
- Комисия за финансов надзор
- Патентно ведомство на Република България
- Сметна палата на Република България
- Агенция за приватизация
- Агенция за следприватизационен контрол
- Български институт по метрология
- Държавна агенция „Архиви“
- Държавна агенция „Държавен резерв и военновременни запаси“
- Държавна агенция „Национална сигурност“
- Държавна агенция за бежанците
- Държавна агенция за българите в чужбина
- Държавна агенция за закрила на детето
- Държавна агенция за информационни технологии и съобщения
- Държавна агенция за метрологичен и технически надзор
- Държавна агенция за младежта и спорта
- Държавна агенция по горите
- Държавна агенция по туризма
- Държавна комисия по стоковите борси и тържища
- Институт по публична администрация и европейска интеграция
- Национален статистически институт
- Национална агенция за оценяване и акредитация
- Националната агенция за професионално образование и обучение
- Национална комисия за борба с трафика на хора
- Агенция „Митници“
- Агенция за държавна и финансова инспекция
- Агенция за държавни вземания
- Агенция за социално подпомагане
- Агенция за хората с увреждания

- Агенция по вписванията
- Агенция по геодезия, картография и кадастър
- Агенция по енергийна ефективност
- Агенция по заетостта
- Агенция по обществени поръчки
- Българска агенция за инвестиции
- Главна дирекция „Гражданска въздухоплавателна администрация“
- Дирекция „Материално-техническо осигуряване и социално обслужване“ на Министерство на вътрешните работи
- Дирекция „Оперативно издирване“ на Министерство на вътрешните работи
- Дирекция „Финансово-ресурсно осигуряване“ на Министерство на вътрешните работи
- Дирекция за национален строителен контрол
- Държавна комисия по хазарта
- Изпълнителна агенция „Автомобилна администрация“
- Изпълнителна агенция „Борба с градушките“
- Изпълнителна агенция „Българска служба за акредитация“
- Изпълнителна агенция „Военни клубове и информация“
- Изпълнителна агенция „Главна инспекция по труда“
- Изпълнителна агенция „Държавна собственост на Министерството на отбраната“
- Изпълнителна агенция „Железопътна администрация“
- Изпълнителна агенция „Изпитвания и контролни измервания на въоръжение, техника и имущества“
- Изпълнителна агенция „Морска администрация“
- Изпълнителна агенция „Национален филмов център“
- Изпълнителна агенция „Пристанищна администрация“
- Изпълнителна агенция „Проучване и поддържане на река Дунав“
- Изпълнителна агенция „Социални дейности на Министерството на отбраната“
- Изпълнителна агенция за икономически анализи и прогнози
- Изпълнителна агенция за насърчаване на малките и средни предприятия
- Изпълнителна агенция по лекарствата
- Изпълнителна агенция по лозата и виното
- Изпълнителна агенция по околна среда
- Изпълнителна агенция по почвените ресурси
- Изпълнителна агенция по рибарство и аквакултури
- Изпълнителна агенция по селекция и репродукция в животновъдството
- Изпълнителна агенция по сортоизпитване, апробация и семеконтрол
- Изпълнителна агенция по трансплантация
- Изпълнителна агенция по хидромелиорации
- Комисията за защита на потребителите
- Контролно-техническата инспекция
- Национален център за информация и документация
- Национален център по радиобиология и радиационна защита
- Национална агенция за приходите
- Национална ветеринарномедицинска служба

- Национална служба „Полиция“
- Национална служба „Пожарна безопасност и защита на населението“
- Национална служба за растителна защита
- Национална служба за съвети в земеделието
- Национална служба по зърното и фуражите
- Служба „Военна информация“
- Служба „Военна полиция“
- Фонд „Републиканска пътна инфраструктура“
- Авиоотряд 28

Czech Republic

- Ministerstvo dopravy
- Ministerstvo financí
- Ministerstvo kultury
- Ministerstvo obrany
- Ministerstvo pro místní rozvoj
- Ministerstvo práce a sociálních věcí
- Ministerstvo průmyslu a obchodu
- Ministerstvo spravedlnosti
- Ministerstvo školství, mládeže a tělovýchovy
- Ministerstvo vnitra
- Ministerstvo zahraničních věcí
- Ministerstvo zdravotnictví
- Ministerstvo zemědělství
- Ministerstvo životního prostředí
- Poslanecká sněmovna ČR
- Senát ČR
- Kancelář prezidenta
- Český statistický úřad
- Český úřad zeměměřičský a katastrální
- Úřad průmyslového vlastnictví
- Úřad pro ochranu osobních údajů
- Bezpečnostní informační služba
- Národní bezpečnostní úřad
- Česká akademie věd
- Vězeňská služba
- Český báňský úřad
- Úřad pro ochranu hospodářské soutěže
- Správa státních hmotných rezerv
- Státní úřad pro jadernou bezpečnost
- Česká národní banka
- Energetický regulační úřad
- Úřad vlády České republiky
- Ústavní soud
- Nejvyšší soud

- Nejvyšší správní soud
- Nejvyšší státní zastupitelství
- Nejvyšší kontrolní úřad
- Kancelář Veřejného ochránce práv
- Grantová agentura České republiky
- Státní úřad inspekce práce
- Český telekomunikační úřad

Denmark

- Folketinget
- Rigsrevisionen
- Statsministeriet
- Udenrigsministeriet
- Beskæftigelsesministeriet
 - 5 styrelser og institutioner (5 agencies and institutions)
- Domstolsstyrelsen
- Finansministeriet
 - 5 styrelser og institutioner (5 agencies and institutions)
- Forsvarsministeriet
 - 5 styrelser og institutioner (5 agencies and institutions)
- Ministeriet for Sundhed og Forebyggelse
 - Adskillige styrelser og institutioner, herunder Statens Serum Institut (Several agencies and institutions, including Statens Serum Institut)
- Justitsministeriet
 - Rigspolitichefen, anklagemyndigheden samt 1 direktorat og et antal styrelser (Commissioner of Police, the public prosecutor, 1 directorate and a number of agencies)
- Kirkeministeriet
 - 10 stiftsøvrigheder (10 diocesan authorities)
- Kulturministeriet — Ministry of Culture
 - 4 styrelser samt et antal statsinstitutioner (4 departments and a number of institutions)
- Miljøministeriet
 - 5 styrelser (5 agencies)
- Ministeriet for Flygtninge, Indvandrere og Integration
 - 1 styrelse (1 agency)
- Ministeriet for Fødevarer, Landbrug og Fiskeri
 - 4 direktorater og institutioner (4 directorates and institutions)
- Ministeriet for Videnskab, Teknologi og Udvikling
 - Adskillige styrelser og institutioner, Forskningscenter Risø og Statens uddannelsesbygninger (Several agencies and institutions, including Risø National Laboratory and Danish National Research and Education Buildings)
- Skatteministeriet
 - 1 styrelse og institutioner (1 agency and several institutions)
- Velfærdsministeriet
 - 3 styrelser og institutioner (3 agencies and several institutions)

- Transportministeriet
7 styrelser og institutioner, herunder Øresundsbrokonsortiet (7 agencies and institutions, including Øresundsbrokonsortiet)
- Undervisningsministeriet
3 styrelser, 4 undervisningsinstitutioner og 5 andre institutioner (3 agencies, 4 educational establishments, 5 other institutions)
- Økonomi- og Erhvervsministeriet
Adskillige styrelser og institutioner (Several agencies and institutions)
- Klima- og Energiministeriet
3 styrelser og institutioner (3 agencies and institutions)

Germany

- Auswärtiges Amt
- Bundeskanzleramt
- Bundesministerium für Arbeit und Soziales
- Bundesministerium für Bildung und Forschung
- Bundesministerium für Ernährung, Landwirtschaft und Verbraucherschutz
- Bundesministerium der Finanzen
- Bundesministerium des Innern (only civil goods)
- Bundesministerium für Gesundheit
- Bundesministerium für Familie, Senioren, Frauen und Jugend
- Bundesministerium der Justiz
- Bundesministerium für Verkehr, Bau und Stadtentwicklung
- Bundesministerium für Wirtschaft und Technologie
- Bundesministerium für wirtschaftliche Zusammenarbeit und Entwicklung
- Bundesministerium der Verteidigung (no military goods)
- Bundesministerium für Umwelt, Naturschutz und Reaktorsicherheit

Estonia

- Vabariigi Presidendi Kantslei;
- Eesti Vabariigi Riigikogu;
- Eesti Vabariigi Riigikohus;
- Riigikontroll;
- Õiguskantsler;
- Riigikantslei;
- Rahvusarhiiv;
- Haridus- ja Teadusministeerium;
- Justiitsministeerium;
- Kaitseministeerium;
- Keskkonnaministeerium;
- Kultuuriministeerium;
- Majandus- ja Kommunikatsiooniministeerium;
- Põllumajandusministeerium;
- Rahandusministeerium;
- Siseministeerium;

- Sotsiaalministeerium;
- Välisministeerium;
- Keeleinspeksioon;
- Riigiprokuratuur;
- Teabeamet;
- Maa-amet;
- Keskkonnainspeksioon;
- Metsakaitse- ja Metsauuenduskeskus;
- Muinsuskaitseamet;
- Patendiamet;
- Tarbijakaitseamet;
- Riigihangete Amet;
- Taimetoodangu Inspeksioon;
- Põllumajanduse Registrite ja Informatsiooni Amet;
- Veterinaar- ja Toiduamet;
- Konkurentsiamet;
- Maksu- ja Tolliamet;
- Statistikaamet;
- Kaitsepolitseiamet;
- Kodakondsus- ja Migratsiooniamet;
- Piirivalveamet;
- Politseiamet;
- Eesti Kohtuekspertsiisi Instituut;
- Keskkriminaalpolitsei;
- Päästeamet;
- Andmekaitse Inspeksioon;
- Raviamet;
- Sotsiaalkindlustusamet;
- Tööturuamet;
- Tervishoiuamet;
- Tervisekaitseinspeksioon;
- Tööinspeksioon;
- Lennuamet;
- Maanteeamet;
- Veeteede Amet;
- Julgestuspolitsei;
- Kaitseressursside Amet;
- Kaitseväge Logistikakeskus;
- Tehnilise Järelevalve Amet.

Ireland

- President's Establishment
- Houses of the Oireachtas — [Parliament]
- Department of the Taoiseach — [Prime Minister]

- Central Statistics Office
- Department of Finance
- Office of the Comptroller and Auditor General
- Office of the Revenue Commissioners
- Office of Public Works
- State Laboratory
- Office of the Attorney General
- Office of the Director of Public Prosecutions
- Valuation Office
- Office of the Commission for Public Service Appointments
- Public Appointments Service
- Office of the Ombudsman
- Chief State Solicitor's Office
- Department of Justice, Equality and Law Reform
- Courts Service
- Prisons Service
- Office of the Commissioners of Charitable Donations and Bequests
- Department of the Environment, Heritage and Local Government
- Department of Education and Science
- Department of Communications, Energy and Natural Resources
- Department of Agriculture, Fisheries and Food
- Department of Transport
- Department of Health and Children
- Department of Enterprise, Trade and Employment
- Department of Arts, Sports and Tourism
- Department of Defence
- Department of Foreign Affairs
- Department of Social and Family Affairs
- Department of Community, Rural and Gaeltacht — [Gaelic - speaking regions] Affairs
- Arts Council
- National Gallery.

Greece

- Υπουργείο Εσωτερικών·
- Υπουργείο Εξωτερικών·
- Υπουργείο Οικονομίας και Οικονομικών·
- Υπουργείο Ανάπτυξης·
- Υπουργείο Δικαιοσύνης·
- Υπουργείο Εθνικής Παιδείας και Θρησκευμάτων·
- Υπουργείο Πολιτισμού·
- Υπουργείο Υγείας και Κοινωνικής Αλληλεγγύης·
- Υπουργείο Περιβάλλοντος, Χωροταξίας και Δημοσίων Έργων·
- Υπουργείο Απασχόλησης και Κοινωνικής Προστασίας·
- Υπουργείο Μεταφορών και Επικοινωνιών·

- Υπουργείο Αγροτικής Ανάπτυξης και Τροφίμων·
- Υπουργείο Εμπορικής Ναυτιλίας, Αιγαίου και Νησιωτικής Πολιτικής·
- Υπουργείο Μακεδονίας-Θράκης·
- Γενική Γραμματεία Επικοινωνίας·
- Γενική Γραμματεία Ενημέρωσης·
- Γενική Γραμματεία Νέας Γενιάς·
- Γενική Γραμματεία Ισότητας·
- Γενική Γραμματεία Κοινωνικών Ασφαλίσεων·
- Γενική Γραμματεία Απόδημου Ελληνισμού·
- Γενική Γραμματεία Βιομηχανίας·
- Γενική Γραμματεία Έρευνας και Τεχνολογίας·
- Γενική Γραμματεία Αθλητισμού·
- Γενική Γραμματεία Δημοσίων Έργων·
- Γενική Γραμματεία Εθνικής Στατιστικής Υπηρεσίας Ελλάδος·
- Εθνικό Συμβούλιο Κοινωνικής Φροντίδας·
- Οργανισμός Εργατικής Κατοικίας·
- Εθνικό Τυπογραφείο·
- Γενικό Χημείο του Κράτους·
- Ταμείο Εθνικής Οδοποιίας·
- Εθνικό Καποδιστριακό Πανεπιστήμιο Αθηνών·
- Αριστοτέλειο Πανεπιστήμιο Θεσσαλονίκης·
- Δημοκρίτειο Πανεπιστήμιο Θράκης·
- Πανεπιστήμιο Αιγαίου·
- Πανεπιστήμιο Ιωαννίνων·
- Πανεπιστήμιο Πατρών·
- Πανεπιστήμιο Μακεδονίας·
- Πολυτεχνείο Κρήτης·
- Σιβιτανίδειος Δημόσια Σχολή Τεχνών και Επαγγελμάτων·
- Αιγινήτειο Νοσοκομείο·
- Αρεταίειο Νοσοκομείο·
- Εθνικό Κέντρο Δημόσιας Διοίκησης·
- Οργανισμός Διαχείρισης Δημοσίου Υλικού·
- Οργανισμός Γεωργικών Ασφαλίσεων·
- Οργανισμός Σχολικών Κτιρίων·
- Γενικό Επιτελείο Στρατού·
- Γενικό Επιτελείο Ναυτικού·
- Γενικό Επιτελείο Αεροπορίας·
- Ελληνική Επιτροπή Ατομικής Ενέργειας·
- Γενική Γραμματεία Εκπαίδευσης Ενηλίκων·
- Υπουργείο Εθνικής Άμυνας·
- Γενική Γραμματεία Εμπορίου.

Spain

- Presidencia del Gobierno
- Ministerio de Asuntos Exteriores y de Cooperación
- Ministerio de Justicia
- Ministerio de Defensa
- Ministerio de Economía y Hacienda
- Ministerio del Interior
- Ministerio de Fomento
- Ministerio de Educación, Política Social y Deportes
- Ministerio de Industria, Turismo y Comercio
- Ministerio de Trabajo e Inmigración
- Ministerio de la Presidencia
- Ministerio de Administraciones Públicas
- Ministerio de Cultura
- Ministerio de Sanidad y Consumo
- Ministerio de Medio Ambiente y Medio Rural y Marino
- Ministerio de Vivienda
- Ministerio de Ciencia e Innovación
- Ministerio de Igualdad

France

(1) Ministries

- Services du Premier ministre
- Ministère chargé de la santé, de la jeunesse et des sports
- Ministère chargé de l'intérieur, de l'outre-mer et des collectivités territoriales
- Ministère chargé de la justice
- Ministère chargé de la défense
- Ministère chargé des affaires étrangères et européennes
- Ministère chargé de l'éducation nationale
- Ministère chargé de l'économie, des finances et de l'emploi
- Secrétariat d'État aux transports
- Secrétariat d'État aux entreprises et au commerce extérieur
- Ministère chargé du travail, des relations sociales et de la solidarité
- Ministère chargé de la culture et de la communication
- Ministère chargé du budget, des comptes publics et de la fonction publique
- Ministère chargé de l'agriculture et de la pêche
- Ministère chargé de l'enseignement supérieur et de la recherche
- Ministère chargé de l'écologie, du développement et de l'aménagement durables
- Secrétariat d'État à la fonction publique
- Ministère chargé du logement et de la ville
- Secrétariat d'État à la coopération et à la francophonie
- Secrétariat d'État à l'outre-mer
- Secrétariat d'État à la jeunesse, des sports et de la vie associative

- Secrétariat d'État aux anciens combattants
- Ministère chargé de l'immigration, de l'intégration, de l'identité nationale et du co-développement
- Secrétariat d'État en charge de la prospective et de l'évaluation des politiques publiques
- Secrétariat d'État aux affaires européennes
- Secrétariat d'État aux affaires étrangères et aux droits de l'homme
- Secrétariat d'État à la consommation et au tourisme
- Secrétariat d'État à la politique de la ville
- Secrétariat d'État à la solidarité
- Secrétariat d'État en charge de l'industrie et de la consommation
- Secrétariat d'État en charge de l'emploi
- Secrétariat d'État en charge du commerce, de l'artisanat, des PME, du tourisme et des services
- Secrétariat d'État en charge de l'écologie
- Secrétariat d'État en charge du développement de la région-capitale
- Secrétariat d'État en charge de l'aménagement du territoire
- (2) Institutions, independent authorities and jurisdictions
 - Présidence de la République
 - Assemblée nationale
 - Sénat
 - Conseil constitutionnel
 - Conseil économique et social
 - Conseil supérieur de la magistrature
 - Agence française contre le dopage
 - Autorité de contrôle des assurances et des mutuelles
 - Autorité de contrôle des nuisances sonores aéroportuaires
 - Autorité de régulation des communications électroniques et des postes
 - Autorité de sûreté nucléaire
 - Autorité indépendante des marchés financiers
 - Comité national d'évaluation des établissements publics à caractère scientifique, culturel et professionnel
 - Commission d'accès aux documents administratifs
 - Commission consultative du secret de la défense nationale
 - Commission nationale des comptes de campagne et des financements politiques
 - Commission nationale de contrôle des interceptions de sécurité
 - Commission nationale de déontologie de la sécurité
 - Commission nationale du débat public
 - Commission nationale de l'informatique et des libertés
 - Commission des participations et des transferts
 - Commission de régulation de l'énergie
 - Commission de la sécurité des consommateurs
 - Commission des sondages
 - Commission de la transparence financière de la vie politique
 - Conseil de la concurrence
 - Conseil des ventes volontaires de meubles aux enchères publiques
 - Conseil supérieur de l'audiovisuel

- Défenseur des enfants
 - Haute autorité de lutte contre les discriminations et pour l'égalité
 - Haute autorité de santé
 - Médiateur de la République
 - Cour de justice de la République
 - Tribunal des Conflits
 - Conseil d'État
 - Cours administratives d'appel
 - Tribunaux administratifs
 - Cour des Comptes
 - Chambres régionales des Comptes
 - Cours et tribunaux de l'ordre judiciaire (Cour de Cassation, Cours d'Appel, Tribunaux d'instance et Tribunaux de grande instance)
- (3) National public establishments
- Académie de France à Rome
 - Académie de marine
 - Académie des sciences d'outre-mer
 - Académie des technologies
 - Agence centrale des organismes de sécurité sociale (ACOSS)
 - Agence de biomédecine
 - Agence pour l'enseignement du français à l'étranger
 - Agence française de sécurité sanitaire des aliments
 - Agence française de sécurité sanitaire de l'environnement et du travail
 - Agence nationale pour la cohésion sociale et l'égalité des chances
 - Agence nationale pour la garantie des droits des mineurs
 - Agences de l'eau
 - Agence nationale de l'Accueil des Etrangers et des migrations
 - Agence nationale pour l'amélioration des conditions de travail (ANACT)
 - Agence nationale pour l'amélioration de l'habitat (ANAH)
 - Agence nationale pour la Cohésion Sociale et l'Egalité des Chances
 - Agence nationale pour l'indemnisation des français d'outre-mer (ANIFOM)
 - Assemblée permanente des chambres d'agriculture (APCA)
 - Bibliothèque publique d'information
 - Bibliothèque nationale de France
 - Bibliothèque nationale et universitaire de Strasbourg
 - Caisse des dépôts et consignations
 - Caisse nationale des autoroutes (CNA)
 - Caisse nationale militaire de sécurité sociale (CNMSS)
 - Caisse de garantie du logement locatif social
 - Casa de Velasquez
 - Centre d'enseignement zootechnique
 - Centre d'études de l'emploi
 - Centre d'études supérieures de la sécurité sociale

- Centres de formation professionnelle et de promotion agricole
- Centre hospitalier des Quinze-Vingts
- Centre international d'études supérieures en sciences agronomiques (Montpellier Sup Agro)
- Centre des liaisons européennes et internationales de sécurité sociale
- Centre des monuments nationaux
- Centre national d'art et de culture Georges Pompidou
- Centre national des arts plastiques
- Centre national de la cinématographie
- Centre national d'études et d'expérimentation du machinisme agricole, du génie rural, des eaux et des forêts (CEMAGREF)
- Centre national du livre
- Centre national de documentation pédagogique
- Centre national des œuvres universitaires et scolaires (CNOUS)
- Centre national professionnel de la propriété forestière
- Centre national de la recherche scientifique (C.N.R.S)
- Centres d'éducation populaire et de sport (CREPS)
- Centres régionaux des œuvres universitaires (CROUS)
- Collège de France
- Conservatoire de l'espace littoral et des rivages lacustres
- Conservatoire National des Arts et Métiers
- Conservatoire national supérieur de musique et de danse de Paris
- Conservatoire national supérieur de musique et de danse de Lyon
- Conservatoire national supérieur d'art dramatique
- École centrale de Lille
- École centrale de Lyon
- École centrale des arts et manufactures
- École française d'archéologie d'Athènes
- École française d'Extrême-Orient
- École française de Rome
- École des hautes études en sciences sociales
- École du Louvre
- École nationale d'administration
- École nationale de l'aviation civile (ENAC)
- École nationale des Chartes
- École nationale d'équitation
- École nationale du génie de l'eau et de l'environnement de Strasbourg
- Écoles nationales d'ingénieurs
- École nationale d'ingénieurs des industries des techniques agricoles et alimentaires de Nantes
- Écoles nationales d'ingénieurs des travaux agricoles
- École nationale de la magistrature
- Écoles nationales de la marine marchande
- École nationale de la santé publique (ENSP)
- École nationale de ski et d'alpinisme
- École nationale supérieure des arts décoratifs

- École nationale supérieure des arts et techniques du théâtre
- École nationale supérieure des arts et industries textiles Roubaix
- Écoles nationales supérieures d'arts et métiers
- École nationale supérieure des beaux-arts
- École nationale supérieure de céramique industrielle
- École nationale supérieure de l'électronique et de ses applications (ENSEA)
- École nationale supérieure du paysage de Versailles
- École nationale supérieure des Sciences de l'information et des bibliothécaires
- École nationale supérieure de la sécurité sociale
- Écoles nationales vétérinaires
- École nationale de voile
- Écoles normales supérieures
- École polytechnique
- École technique professionnelle agricole et forestière de Meymac (Corrèze)
- École de sylviculture Croigny (Aube)
- École de viticulture et d'œnologie de la Tour-Blanche (Gironde)
- École de viticulture — Avize (Marne)
- Établissement national d'enseignement agronomique de Dijon
- Établissement national des invalides de la marine (ENIM)
- Établissement national de bienfaisance Koenigswarter
- Établissement public du musée et du domaine national de Versailles
- Fondation Carnegie
- Fondation Singer-Polignac
- Haras nationaux
- Hôpital national de Saint-Maurice
- Institut des hautes études pour la science et la technologie
- Institut français d'archéologie orientale du Caire
- Institut géographique national
- Institut National de l'origine et de la qualité
- Institut national des hautes études de sécurité
- Institut de veille sanitaire
- Institut National d'enseignement supérieur et de recherche agronomique et agroalimentaire de Rennes
- Institut national d'études Démographiques (I.N.E.D)
- Institut National d'Horticulture
- Institut National de la jeunesse et de l'éducation populaire
- Institut national des jeunes aveugles — Paris
- Institut national des jeunes sourds — Bordeaux
- Institut national des jeunes sourds — Chambéry
- Institut national des jeunes sourds — Metz
- Institut national des jeunes sourds — Paris
- Institut national de physique nucléaire et de physique des particules (I.N.P.N.P.P)
- Institut national de la propriété industrielle
- Institut national de la recherche agronomique (I.N.R.A)

- Institut national de la recherche pédagogique (I.N.R.P)
- Institut national de la santé et de la recherche médicale (I.N.S.E.R.M)
- Institut national d'histoire de l'art (I.N.H.A.)
- Institut national de recherches archéologiques préventives
- Institut national des sciences de l'univers
- Institut national des sports et de l'éducation physique
- Institut national supérieur de formation et de recherche pour l'éducation des jeunes handicapés et les enseignements adaptés
- Instituts nationaux polytechniques
- Instituts nationaux des sciences appliquées
- Institut national de recherche en informatique et en automatique (INRIA)
- Institut national de recherche sur les transports et leur sécurité (INRETS)
- Institut de recherche pour le développement
- Instituts régionaux d'administration
- Institut des sciences et des Industries du vivant et de l'environnement (Agro Paris Tech)
- Institut supérieur de mécanique de Paris
- Instituts Universitaires de Formation des Maîtres
- Musée de l'armée
- Musée Gustave-Moreau
- Musée national de la marine
- Musée national J.-J.-Henner
- Musée du Louvre
- Musée du Quai Branly
- Muséum national d'histoire naturelle
- Musée Auguste-Rodin
- Observatoire de Paris
- Office français de protection des réfugiés et apatrides
- Office national des anciens combattants et des victimes de guerre (ONAC)
- Office national de la chasse et de la faune sauvage
- Office National de l'eau et des milieux aquatiques
- Office national d'information sur les enseignements et les professions (ONISEP)
- Office universitaire et culturel français pour l'Algérie
- Ordre national de la Légion d'honneur
- Palais de la découverte
- Parcs nationaux
- Universités
- (4) Other national public body
 - Union des groupements d'achats publics (UGAP)
 - Agence nationale pour l'emploi (A.N.P.E)
 - Caisse nationale des allocations familiales (CNAF)
 - Caisse nationale d'assurance maladie des travailleurs salariés (CNAMS)
 - Caisse nationale d'assurance-vieillesse des travailleurs salariés (CNAVTS)

Italy

(1) Purchasing bodies

- Presidenza del Consiglio dei Ministri
- Ministero degli Affari Esteri
- Ministero dell'Interno
- Ministero della Giustizia e Uffici giudiziari (esclusi i giudici di pace)
- Ministero della Difesa
- Ministero dell'Economia e delle Finanze
- Ministero dello Sviluppo Economico
- Ministero delle Politiche Agricole, Alimentari e Forestali
- Ministero dell'Ambiente - Tutela del Territorio e del Mare
- Ministero delle Infrastrutture e dei Trasporti
- Ministero del Lavoro, della Salute e delle Politiche Sociali
- Ministero dell'Istruzione, Università e Ricerca
- Ministero per i Beni e le Attività culturali, comprensivo delle sue articolazioni periferiche

(2) Other national public bodies:

- CONSIP (Concessionaria Servizi Informatici Pubblici)

Cyprus

- Προεδρία και Προεδρικό Μέγαρο
 - Γραφείο Συντονιστή Εναρμόνισης
- Υπουργικό Συμβούλιο
- Βουλή των Αντιπροσώπων
- Δικαστική Υπηρεσία
- Νομική Υπηρεσία της Δημοκρατίας
- Ελεγκτική Υπηρεσία της Δημοκρατίας
- Επιτροπή Δημόσιας Υπηρεσίας
- Επιτροπή Εκπαιδευτικής Υπηρεσίας
- Γραφείο Επιτρόπου Διοικήσεως
- Επιτροπή Προστασίας Ανταγωνισμού
- Υπηρεσία Εσωτερικού Ελέγχου
- Γραφείο Προγραμματισμού
- Γενικό Λογιστήριο της Δημοκρατίας
- Γραφείο Επιτρόπου Προστασίας Δεδομένων Προσωπικού Χαρακτήρα
- Γραφείο Εφόρου Δημοσίων Ενισχύσεων
- Αναθεωρητική Αρχή Προσφορών
- Υπηρεσία Εποπτείας και Ανάπτυξης Συνεργατικών Εταιρειών
- Αναθεωρητική Αρχή Προσφύγων
- Υπουργείο Άμυνας
- Υπουργείο Γεωργίας, Φυσικών Πόρων και Περιβάλλοντος
 - Τμήμα Γεωργίας
 - Κτηνιατρικές Υπηρεσίες
 - Τμήμα Δασών

- Τμήμα Αναπτύξεως Υδάτων
- Τμήμα Γεωλογικής Επισκόπησης
- Μετεωρολογική Υπηρεσία
- Τμήμα Αναδασμού
- Υπηρεσία Μεταλλείων
- Ινστιτούτο Γεωργικών Ερευνών
- Τμήμα Αλιείας και Θαλάσσιων Ερευνών
- Υπουργείο Δικαιοσύνης και Δημοσίας Τάξεως
 - Αστυνομία
 - Πυροσβεστική Υπηρεσία Κύπρου
 - Τμήμα Φυλακών
- Υπουργείο Εμπορίου, Βιομηχανίας και Τουρισμού
 - Τμήμα Εφόρου Εταιρειών και Επίσημου Παραλήπτη
- Υπουργείο Εργασίας και Κοινωνικών Ασφαλίσεων
 - Τμήμα Εργασίας
 - Τμήμα Κοινωνικών Ασφαλίσεων
 - Τμήμα Υπηρεσιών Κοινωνικής Ευημερίας
 - Κέντρο Παραγωγικότητας Κύπρου
 - Ανώτερο Ξενοδοχειακό Ινστιτούτο Κύπρου
 - Ανώτερο Τεχνολογικό Ινστιτούτο
 - Τμήμα Επιθεώρησης Εργασίας
 - Τμήμα Εργασιακών Σχέσεων
- Υπουργείο Εσωτερικών
 - Επαρχιακές Διοικήσεις
 - Τμήμα Πολεοδομίας και Οικήσεως
 - Τμήμα Αρχείου Πληθυσμού και Μεταναστεύσεως
 - Τμήμα Κτηματολογίου και Χωρομετρίας
 - Γραφείο Τύπου και Πληροφοριών
 - Πολιτική Άμυνα
 - Υπηρεσία Μέριμνας και Αποκαταστάσεων Εκτοπισθέντων
 - Υπηρεσία Ασύλου
- Υπουργείο Εξωτερικών
- Υπουργείο Οικονομικών
 - Τελωνεία
 - Τμήμα Εσωτερικών Προσόδων
 - Στατιστική Υπηρεσία
 - Τμήμα Κρατικών Αγορών και Προμηθειών
 - Τμήμα Δημόσιας Διοίκησης και Προσωπικού
 - Κυβερνητικό Τυπογραφείο
 - Τμήμα Υπηρεσιών Πληροφορικής
- Υπουργείο Παιδείας και Πολιτισμού
- Υπουργείο Συγκοινωνιών και Έργων
 - Τμήμα Δημοσίων Έργων

- Τμήμα Αρχαιοτήτων
- Τμήμα Πολιτικής Αεροπορίας
- Τμήμα Εμπορικής Ναυτιλίας
- Τμήμα Οδικών Μεταφορών
- Τμήμα Ηλεκτρομηχανολογικών Υπηρεσιών
- Τμήμα Ηλεκτρονικών Επικοινωνιών
- Υπουργείο Υγείας
 - Φαρμακευτικές Υπηρεσίες
 - Γενικό Χημείο
 - Ιατρικές Υπηρεσίες και Υπηρεσίες Δημόσιας Υγείας
 - Οδοντιατρικές Υπηρεσίες
 - Υπηρεσίες Ψυχικής Υγείας

Latvia

(a) Ministries, secretariats of ministers for special assignments, and their subordinate institutions

- Aizsardzības ministrija un tās padotībā esošās iestādes
- Ārlietu ministrija un tās padotībā esošās iestādes
- Bērnu un ģimenes lietu ministrija un tās padotībā esošās iestādes
- Ekonomikas ministrija un tās padotībā esošās iestādes
- Finanšu ministrija un tās padotībā esošās iestādes
- Iekšlietu ministrija un tās padotībā esošās iestādes
- Izglītības un zinātnes ministrija un tās padotībā esošās iestādes
- Kultūras ministrija un tās padotībā esošās iestādes
- Labklājības ministrija un tās padotībā esošās iestādes
- Reģionālās attīstības un pašvaldības lietu ministrija un tās padotībā esošās iestādes
- Satiksmes ministrija un tās padotībā esošās iestādes
- Tieslietu ministrija un tās padotībā esošās iestādes
- Veselības ministrija un tās padotībā esošās iestādes
- Vides ministrija un tās padotībā esošās iestādes
- Zemkopības ministrija un tās padotībā esošās iestādes
- Īpašu uzdevumu ministra sekretariāti un to padotībā esošās iestādes
- Satversmes aizsardzības birojs

(b) Other state institution

- Augstākā tiesa
- Centrālā vēlēšanu komisija
- Finanšu un kapitāla tirgus komisija
- Latvijas Banka
- Prokuratūra un tās pārraudzībā esošās iestādes
- Saeimas kanceleja un tās padotībā esošās iestādes
- Satversmes tiesa
- Valsts kanceleja un tās padotībā esošās iestādes
- Valsts kontrole
- Valsts prezidenta kanceleja

- Tiesībsarga birojs
- Nacionālā radio un televīzijas padome
- Citas valsts iestādes, kuras nav ministriju padotībā (Other state institutions not subordinate to ministries)

Lithuania

- Prezidentūros kancelarija
- Seimo kancelarija
- Institutions accountable to the Seimas [Parliament]:
 - Lietuvos mokslo taryba;
 - Seimo kontrolierių įstaiga;
 - Valstybės kontrolė;
 - Specialiųjų tyrimų tarnyba;
 - Valstybės saugumo departamentas;
 - Konkurencijos taryba;
 - Lietuvos gyventojų genocido ir rezistencijos tyrimo centras;
 - Vertybinių popierių komisija;
 - Ryšių reguliavimo tarnyba;
 - Nacionalinė sveikatos taryba;
 - Etninės kultūros globos taryba;
 - Lygių galimybių kontrolieriaus tarnyba;
 - Valstybinė kultūros paveldo komisija;
 - Vaiko teisių apsaugos kontrolieriaus įstaiga;
 - Valstybinė kainų ir energetikos kontrolės komisija;
 - Valstybinė lietuvių kalbos komisija;
 - Vyriausioji rinkimų komisija;
 - Vyriausioji tarnybinės etikos komisija;
 - Žurnalistų etikos inspektoriaus tarnyba
- Vyriausybės kancelarija
- Institutions accountable to the Vyriausybės [Government]:
 - Ginklų fondas;
 - Informacinės visuomenės plėtros komitetas;
 - Kūno kultūros ir sporto departamentas;
 - Lietuvos archyvų departamentas;
 - Mokestinių ginčų komisija;
 - Statistikos departamentas;
 - Tautinių mažumų ir išeivijos departamentas;
 - Valstybinė tabako ir alkoholio kontrolės tarnyba;
 - Viešųjų pirkimų tarnyba;
 - Narkotikų kontrolės departamentas;
 - Valstybinė atominės energetikos saugos inspekcija;
 - Valstybinė duomenų apsaugos inspekcija;
 - Valstybinė lošimų priežiūros komisija;
 - Valstybinė maisto ir veterinarijos tarnyba;
 - Vyriausioji administracinių ginčų komisija;

- Draudimo priežiūros komisija;
- Lietuvos valstybinis mokslo ir studijų fondas;
- Lietuvių grįžimo į Tėvynę informacijos centras
- Konstitucinis Teismas
- Lietuvos bankas
- Aplinkos ministerija
- Institutions under the Aplinkos ministerija [Ministry of Environment]:
 - Generalinė miškų urėdija;
 - Lietuvos geologijos tarnyba;
 - Lietuvos hidrometeorologijos tarnyba;
 - Lietuvos standartizacijos departamentas;
 - Nacionalinis akreditacijos biuras;
 - Valstybinė metrologijos tarnyba;
 - Valstybinė saugomų teritorijų tarnyba;
 - Valstybinė teritorijų planavimo ir statybos inspekcija
- Finansų ministerija
- Institutions under the Finansų ministerija [Ministry of Finance]:
 - Muitinės departamentas;
 - Valstybės dokumentų technologinės apsaugos tarnyba;
 - Valstybinė mokesčių inspekcija;
 - Finansų ministerijos mokymo centras
- Krašto apsaugos ministerija
- Institutions under the Krašto apsaugos ministerijos [Ministry of National Defence]:
 - Antrasis operatyvinių tarnybų departamentas;
 - Centralizuota finansų ir turto tarnyba;
 - Karo prievolės administravimo tarnyba;
 - Krašto apsaugos archyvas;
 - Krizių valdymo centras;
 - Mobilizacijos departamentas;
 - Ryšių ir informacinių sistemų tarnyba;
 - Infrastruktūros plėtros departamentas;
 - Valstybinis pilietinio pasipriešinimo rengimo centras
- Lietuvos kariuomenė
- Krašto apsaugos sistemos kariniai vienetai ir tarnybos
- Kultūros ministerija
- Institutions under the Kultūros ministerijos [Ministry of Culture]:
 - Kultūros paveldo departamentas;
 - Valstybinė kalbos inspekcija
- Socialinės apsaugos ir darbo ministerija
- Institutions under the Socialinės apsaugos ir darbo ministerijos [Ministry of Social Security and Labour]:
 - Garantinio fondo administracija;
 - Valstybės vaiko teisių apsaugos ir įvaikinimo tarnyba;
 - Lietuvos darbo birža;

- Lietuvos darbo rinkos mokymo tarnyba;
- Trišalės tarybos sekretoriatas;
- Socialinių paslaugų priežiūros departamentas;
- Darbo inspekcija;
- Valstybinio socialinio draudimo fondo valdyba;
- Neįgalumo ir darbingumo nustatymo tarnyba;
- Ginčų komisija;
- Techninės pagalbos neįgaliesiems centras;
- Neįgaliųjų reikalų departamentas
- Susisiekimo ministerija
- Institutions under the Susisiekimo ministerijos [Ministry of Transport and Communications]:
 - Lietuvos automobilių kelių direkcija;
 - Valstybinė geležinkelio inspekcija;
 - Valstybinė kelių transporto inspekcija;
 - Pasienio kontrolės punktų direkcija
- Sveikatos apsaugos ministerija
- Institutions under the Sveikatos apsaugos ministerijos [Ministry of Health]:
 - Valstybinė akreditavimo sveikatos priežiūros veiklai tarnyba;
 - Valstybinė ligonių kasa;
 - Valstybinė medicininio audito inspekcija;
 - Valstybinė vaistų kontrolės tarnyba;
 - Valstybinė teismo psichiatrijos ir narkologijos tarnyba;
 - Valstybinė visuomenės sveikatos priežiūros tarnyba;
 - Farmacijos departamentas;
 - Sveikatos apsaugos ministerijos Ekstremalių sveikatai situacijų centras;
 - Lietuvos bioetikos komitetas;
 - Radiacinės saugos centras
- Švietimo ir mokslo ministerija
- Institutions under the Švietimo ir mokslo ministerijos [Ministry of Education and Science]:
 - Nacionalinis egzaminų centras;
 - Studijų kokybės vertinimo centras
- Teisingumo ministerija
- Institutions under the Teisingumo ministerijos [Ministry of Justice]:
 - Kalėjimų departamentas;
 - Nacionalinė vartotojų teisių apsaugos taryba;
 - Europos teisės departamentas
- Ūkio ministerija
- Prie Ūkio ministerijos įsteigtos įstaigos [Ministry of Economy]:
 - Įmonių bankroto valdymo departamentas;
 - Valstybinė energetikos inspekcija;
 - Valstybinė ne maisto produktų inspekcija;
 - Valstybinis turizmo departamentas
- Užsienio reikalų ministerija

- Diplomatinės atstovybės ir konsulinės įstaigos užsienyje bei atstovybės prie tarptautinių organizacijų
- Vidaus reikalų ministerija
- Institutions under the Vidaus reikalų ministerijos [Ministry of the Interior]:
 - Asmens dokumentų išrašymo centras;
 - Finansinių nusikaltimų tyrimo tarnyba;
 - Gyventojų registro tarnyba;
 - Policijos departamentas;
 - Priešgaisrinės apsaugos ir gelbėjimo departamentas;
 - Turto valdymo ir ūkio departamentas;
 - Vadovybės apsaugos departamentas;
 - Valstybės sienos apsaugos tarnyba;
 - Valstybės tarnybos departamentas;
 - Informatikos ir ryšių departamentas;
 - Migracijos departamentas;
 - Sveikatos priežiūros tarnyba;
 - Bendrasis pagalbos centras
- Žemės ūkio ministerija
- Institutions under the Žemės ūkio ministerijos [Ministry of Agriculture]:
 - Nacionalinė mokėjimo agentūra;
 - Nacionalinė žemės tarnyba;
 - Valstybinė augalų apsaugos tarnyba;
 - Valstybinė gyvulių veislininkystės priežiūros tarnyba;
 - Valstybinė sėklų ir grūdų tarnyba;
 - Žuvininkystės departamentas
- Teismai [Courts]:
 - Lietuvos Aukščiausiasis Teismas;
 - Lietuvos apeliacinis teismas;
 - Lietuvos vyriausiasis administracinis teismas;
 - apygardų teismai;
 - apygardų administraciniai teismai;
 - apylinkių teismai;
 - Nacionalinė teismų administracija
- Generalinė prokuratūra
- Other Central Public Administration Entities (institucijos [institutions], įstaigos [establishments], tarnybos [agencies]):
 - Aplinkos apsaugos agentūra;
 - Valstybinė aplinkos apsaugos inspekcija;
 - Aplinkos projektų valdymo agentūra;
 - Miško genetinių išteklių, sėklų ir sodmenų tarnyba;
 - Miško sanitarinės apsaugos tarnyba;
 - Valstybinė miškotvarkos tarnyba;
 - Nacionalinis visuomenės sveikatos tyrimų centras;
 - Lietuvos AIDS centras;
 - Nacionalinis organų transplantacijos biuras;

- Valstybinis patologijos centras;
- Valstybinis psichikos sveikatos centras;
- Lietuvos sveikatos informacijos centras;
- Slaugos darbuotojų tobulinimosi ir specializacijos centras;
- Valstybinis aplinkos sveikatos centras;
- Respublikinis mitybos centras;
- Užkrečiamųjų ligų profilaktikos ir kontrolės centras;
- Trakų visuomenės sveikatos priežiūros ir specialistų tobulinimosi centras;
- Visuomenės sveikatos ugdymo centras;
- Muitinės kriminalinė tarnyba;
- Muitinės informacinių sistemų centras;
- Muitinės laboratorija;
- Muitinės mokymo centras;
- Valstybinis patentų biuras;
- Lietuvos teismo ekspertizės centras;
- Centrinė hipotekos įstaiga;
- Lietuvos metrologijos inspekcija;
- Civilinės aviacijos administracija;
- Lietuvos saugios laivybos administracija;
- Transporto investicijų direkcija;
- Valstybinė vidaus vandenų laivybos inspekcija;
- Pabėgėlių priėmimo centras

Luxembourg

- Ministère d'État
- Ministère des affaires étrangères et de l'immigration
- Ministère de l'agriculture, de la viticulture et du développement rural
- Ministère des classes moyennes, du tourisme et du logement
- Ministère de la culture, de l'enseignement supérieur et de la recherche
- Ministère de l'économie et du commerce extérieur
- Ministère de l'éducation nationale et de la formation professionnelle
- Ministère de l'égalité des chances
- Ministère de l'environnement
- Ministère de la famille et de l'intégration
- Ministère des finances
- Ministère de la fonction publique et de la réforme administrative
- Ministère de l'Intérieur et de l'aménagement du territoire
- Ministère de la justice
- Ministère de la santé
- Ministère de la sécurité sociale
- Ministère des transports
- Ministère du travail et de l'emploi
- Ministère des travaux publics

Hungary

- Egészségügyi Minisztérium
- Földművelésügyi és Vidékfejlesztési Minisztérium
- Gazdasági és Közlekedési Minisztérium
- Honvédelmi Minisztérium
- Igazságügyi és Rendészeti Minisztérium
- Környezetvédelmi és Vízügyi Minisztérium
- Külügyminisztérium
- Miniszterelnöki Hivatal
- Oktatási és Kulturális Minisztérium
- Önkormányzati és Területfejlesztési Minisztérium
- Pénzügyminisztérium
- Szociális és Munkaügyi Minisztérium
- Központi Szolgáltatási Főigazgatóság

Malta

- Uffiċċju tal-Prim Ministru (Office of the Prime Minister)
- Ministeru għall-Familja u Solidarjetà Soċjali (Ministry for the Family and Social Solidarity)
- Ministeru tal-Edukazzjoni Zghazagh u Impjiegi (Ministry for Education Youth and Employment)
- Ministeru tal-Finanzi (Ministry of Finance)
- Ministeru tar-Riżorsi u l-Infrastruttura (Ministry for Resources and Infrastructure)
- Ministeru tat-Turiżmu u Kultura (Ministry for Tourism and Culture)
- Ministeru tal-Ġustizzja u l-Intern (Ministry for Justice and Home Affairs)
- Ministeru għall-Affarijiet Rurali u l-Ambjent (Ministry for Rural Affairs and the Environment)
- Ministeru għal Għawdex (Ministry for Gozo)
- Ministeru tas-Saħħa, l-Anzjani u Kura fil-Kommunità (Ministry of Health, the Elderly and Community Care)
- Ministeru tal-Affarijiet Barranin (Ministry of Foreign Affairs)
- Ministeru għall-Investimenti, Industrija u Teknologija ta' Informazzjoni (Ministry for Investment, Industry and Information Technology)
- Ministeru għall-Kompetittivà u Komunikazzjoni (Ministry for Competitiveness and Communications)
- Ministeru għall-Iżvilupp Urban u Toroq (Ministry for Urban Development and Roads)

Netherlands

- Ministerie van Algemene Zaken
 - Bestuursdepartement
 - Bureau van de Wetenschappelijke Raad voor het Regeringsbeleid
 - Rijksvoorlichtingsdienst
- Ministerie van Binnenlandse Zaken en Koninkrijksrelaties
 - Bestuursdepartement
 - Centrale Archiefselectiedienst (CAS)
 - Algemene Inlichtingen- en Veiligheidsdienst (AIVD)
 - Agentschap Basisadministratie Persoonsgegevens en Reisdocumenten (BPR)
 - Agentschap Korps Landelijke Politiediensten
- Ministerie van Buitenlandse Zaken
 - Directoraat-generaal Regiobeleid en Consulaire Zaken (DGRC)

- Directoraat-generaal Politieke Zaken (DGPZ)
- Directoraat-generaal Internationale Samenwerking (DGIS)
- Directoraat-generaal Europese Samenwerking (DGES)
- Centrum tot Bevordering van de Import uit Ontwikkelingslanden (CBI)
- Centrale diensten ressorterend onder de secretaris-generaal en de plaatsvervangend secretaris-generaal (S/PlvS)
(Support services falling under the Secretary-general and Deputy Secretary-general)
- Buitenlandse Posten (ieder afzonderlijk)
- Ministerie van Defensie — (Ministry of Defence)
 - Bestuursdepartement
 - Commando Diensten Centra (CDC)
 - Defensie Telematica Organisatie (DTO)
 - Centrale directie van de Defensie Vastgoed Dienst
 - De afzonderlijke regionale directies van de Defensie Vastgoed Dienst
 - Defensie Materieel Organisatie (DMO)
 - Landelijk Bevoorradingsbedrijf van de Defensie Materieel Organisatie
 - Logistiek Centrum van de Defensie Materieel Organisatie
 - Marinebedrijf van de Defensie Materieel Organisatie
 - Defensie Pijpleiding Organisatie (DPO)
- Ministerie van Economische Zaken
 - Bestuursdepartement
 - Centraal Planbureau (CPB)
 - SenterNovem
 - Staatstoezicht op de Mijnen (SodM)
 - Nederlandse Mededingingsautoriteit (NMa)
 - Economische Voorlichtingsdienst (EVD)
 - Agentschap Telecom
 - Kenniscentrum Professioneel & Innovatief Aanbesteden, Netwerk voor Overheidsopdrachtgevers (PIANOo)
 - Regiebureau Inkoop Rijksoverheid
 - Octrooiencentrum Nederland
 - Consumentenautoriteit
- Ministerie van Financiën
 - Bestuursdepartement
 - Belastingdienst Automatiseringscentrum
 - Belastingdienst
 - de afzonderlijke Directies der Rijksbelastingen (the various Divisions of the Tax and Customs Administration throughout the Netherlands)
 - Fiscale Inlichtingen- en Opsporingsdienst (incl. Economische Controle Dienst (ECD))
 - Belastingdienst Opleidingen
 - Dienst der Domeinen
- Ministerie van Justitie
 - Bestuursdepartement
 - Dienst Justitiële Inrichtingen
 - Raad voor de Kinderbescherming
 - Centraal Justitie Incasso Bureau

- Openbaar Ministerie
- Immigratie en Naturalisatiedienst
- Nederlands Forensisch Instituut
- Dienst Terugkeer & Vertrek
- Ministerie van Landbouw, Natuur en Voedselkwaliteit
 - Bestuursdepartement
 - Dienst Regelingen (DR)
 - Agentschap Plantenziektkundige Dienst (PD)
 - Algemene Inspectiedienst (AID)
 - Dienst Landelijk Gebied (DLG)
 - Voedsel en Waren Autoriteit (VWA)
- Ministerie van Onderwijs, Cultuur en Wetenschappen
 - Bestuursdepartement
 - Inspectie van het Onderwijs
 - Erfgoedinspectie
 - Centrale Financiën Instellingen
 - Nationaal Archief
 - Adviesraad voor Wetenschaps- en Technologiebeleid
 - Onderwijsraad
 - Raad voor Cultuur
- Ministerie van Sociale Zaken en Werkgelegenheid
 - Bestuursdepartement
 - Inspectie Werk en Inkomen
 - Agentschap SZW
- Ministerie van Verkeer en Waterstaat
 - Bestuursdepartement
 - Directoraat-generaal Transport en Luchtvaart
 - Directoraat-generaal Personenvervoer
 - Directoraat-generaal Water
 - Centrale diensten (Central Services)
 - Centrale diensten van de Organisatie Verkeer en Watersaat
 - Koninklijk Nederlands Meteorologisch Instituut (KNMI)
 - Rijkswaterstaat, Bestuur
 - de afzonderlijke regionale Diensten van Rijkswaterstaat (Each individual regional service of the Directorate-general of Public Works and Water Management)
 - de afzonderlijke specialistische diensten van Rijkswaterstaat (Each individual specialist service of the Directorate-general of Public Works and Water Management)
 - Adviesdienst Geo-Informatie en ICT
 - Adviesdienst Verkeer en Vervoer (AVV)
 - Bouwdienst
 - Corporate Dienst
 - Data ICT Dienst
 - Dienst Verkeer en Scheepvaart
 - Dienst Weg- en Waterbouwkunde (DWW)

- Rijksinstituut voor Kunst en Zee (RIKZ)
- Rijksinstituut voor Integraal Zoetwaterbeheer en Afvalwaterbehandeling (RIZA)
- Waterdienst
- Inspectie Verkeer en Waterstaat, Hoofddirectie
- Port state Control
- Directie Toezichtontwikkeling Communicatie en Onderzoek (TCO)
- Toezichthouder Beheer Eenheid Lucht
- Toezichthouder Beheer Eenheid Water
- Toezichthouder Beheer Eenheid Land
- Ministerie van Volkshuisvesting, Ruimtelijke Ordening en Milieubeheer
 - Bestuursdepartement
 - Directoraat-generaal Wonen, Wijken en Integratie
 - Directoraat-generaal Ruimte
 - Directoraat-general Milieubeheer
 - Rijksgebouwendienst
 - VROM Inspectie
- Ministerie van Volksgezondheid, Welzijn en Sport
 - Bestuursdepartement
 - Inspectie Gezondheidsbescherming, Waren en Veterinaire Zaken
 - Inspectie Gezondheidszorg
 - Inspectie Jeugdhulpverlening en Jeugdbescherming
 - Rijksinstituut voor de Volksgezondheid en Milieu (RIVM)
 - Sociaal en Cultureel Planbureau
 - Agentschap t.b.v. het College ter Beoordeling van Geneesmiddelen
- Tweede Kamer der Staten-Generaal
- Eerste Kamer der Staten-Generaal
- Raad van State
- Algemene Rekenkamer
- Nationale Ombudsman
- Kanselarij der Nederlandse Orden
- Kabinet der Koningin
- Raad voor de rechtspraak en de Rechtbanken

Austria

- Bundeskanzleramt
- Bundesministerium für europäische und internationale Angelegenheiten
- Bundesministerium für Finanzen
- Bundesministerium für Gesundheit
- Bundesministerium für Inneres
- Bundesministerium für Justiz
- Bundesministerium für Landesverteidigung und Sport
- Bundesministerium für Land- und Forstwirtschaft, Umwelt und Wasserwirtschaft
- Bundesministerium für Arbeit, Soziales und Konsumentenschutz
- Bundesministerium für Unterricht, Kunst und Kultur

- Bundesministerium für Verkehr, Innovation und Technologie
- Bundesministerium für Wirtschaft, Familie und Jugend
- Bundesministerium für Wissenschaft und Forschung
- Österreichische Forschungs- und Prüfzentrum Arsenal Gesellschaft mbH
- Bundesbeschaffung GmbH
- Bundesrechenzentrum GmbH

Poland

- Kancelaria Prezydenta RP
- Kancelaria Sejmu RP
- Kancelaria Senatu RP
- Kancelaria Prezesa Rady Ministrów
- Sąd Najwyższy
- Naczelny Sąd Administracyjny
- Wojewódzkie sądy administracyjne
- Sądy powszechne – rejonowe, okręgowe i apelacyjne
- Trybunał Konstytucyjny
- Najwyższa Izba Kontroli
- Biuro Rzecznika Praw Obywatelskich
- Biuro Rzecznika Praw Dziecka
- Biuro Ochrony Rządu
- Biuro Bezpieczeństwa Narodowego
- Centralne Biuro Antykorupcyjne
- Ministerstwo Pracy i Polityki Społecznej
- Ministerstwo Finansów
- Ministerstwo Gospodarki
- Ministerstwo Rozwoju Regionalnego
- Ministerstwo Kultury i Dziedzictwa Narodowego
- Ministerstwo Edukacji Narodowej
- Ministerstwo Obrony Narodowej
- Ministerstwo Rolnictwa i Rozwoju Wsi
- Ministerstwo Skarbu Państwa
- Ministerstwo Sprawiedliwości
- Ministerstwo Infrastruktury
- Ministerstwo Nauki i Szkolnictwa Wyższego
- Ministerstwo Środowiska
- Ministerstwo Spraw Wewnętrznych i Administracji
- Ministerstwo Spraw Zagranicznych
- Ministerstwo Zdrowia
- Ministerstwo Sportu i Turystyki
- Urząd Komitetu Integracji Europejskiej
- Urząd Patentowy Rzeczypospolitej Polskiej
- Urząd Regulacji Energetyki
- Urząd do spraw Kombatantów i Osób Represjonowanych

- Urząd Transportu Kolejowego
- Urząd Dozoru Technicznego
- Urząd Rejestracji Produktów Leczniczych, Wyrobów Medycznych i Produktów Biobójczych
- Urząd do spraw Repatriacji i Cudzoziemców
- Urząd Zamówień Publicznych
- Urząd Ochrony Konkurencji i Konsumentów
- Urząd Lotnictwa Cywilnego
- Urząd Komunikacji Elektronicznej
- Wyższy Urząd Górniczy
- Główny Urząd Miar
- Główny Urząd Geodezji i Kartografii
- Główny Urząd Nadzoru Budowlanego
- Główny Urząd Statystyczny
- Krajowa Rada Radiofonii i Telewizji
- Generalny Inspektor Ochrony Danych Osobowych
- Państwowa Komisja Wyborcza
- Państwowa Inspekcja Pracy
- Rządowe Centrum Legislacji
- Narodowy Fundusz Zdrowia
- Polska Akademia Nauk
- Polskie Centrum Akredytacji
- Polskie Centrum Badań i Certyfikacji
- Polska Organizacja Turystyczna
- Polski Komitet Normalizacyjny
- Zakład Ubezpieczeń Społecznych
- Komisja Nadzoru Finansowego
- Naczelna Dyrekcja Archiwów Państwowych
- Kasa Rolniczego Ubezpieczenia Społecznego
- Generalna Dyrekcja Dróg Krajowych i Autostrad
- Państwowa Inspekcja Ochrony Roślin i Nasiennictwa
- Komenda Główna Państwowej Straży Pożarnej
- Komenda Główna Policji
- Komenda Główna Straży Granicznej
- Inspekcja Jakości Handlowej Artykułów Rolno-Spożywczych
- Główny Inspektorat Ochrony Środowiska
- Główny Inspektorat Transportu Drogowego
- Główny Inspektorat Farmaceutyczny
- Główny Inspektorat Sanitarny
- Główny Inspektorat Weterynarii
- Agencja Bezpieczeństwa Wewnętrznego
- Agencja Wywiadu
- Agencja Mienia Wojskowego
- Wojskowa Agencja Mieszkaniowa

- Agencja Restrukturyzacji i Modernizacji Rolnictwa
- Agencja Rynku Rolnego
- Agencja Nieruchomości Rolnych
- Państwowa Agencja Atomistyki
- Polska Agencja Żeglugi Powietrznej
- Polska Agencja Rozwiązywania Problemów Alkoholowych
- Agencja Rezerw Materiałowych
- Narodowy Bank Polski
- Narodowy Fundusz Ochrony Środowiska i Gospodarki Wodnej
- Państwowy Fundusz Rehabilitacji Osób Niepełnosprawnych
- Instytut Pamięci Narodowej – Komisja Ścigania Zbrodni Przeciwko Narodowi Polskiemu
- Rada Ochrony Pamięci Walk i Męczeństwa
- Służba Celna Rzeczypospolitej Polskiej
- Państwowe Gospodarstwo Leśne „Lasy Państwowe”
- Polska Agencja Rozwoju Przedsiębiorczości
- Urzędy wojewódzkie
- Samodzielne Publiczne Zakłady Opieki Zdrowotnej, jeśli ich organem założycielskim jest minister, centralny organ administracji rządowej lub wojewoda

Portugal

- Presidência do Conselho de Ministros
- Ministério das Finanças e da Administração Pública
- Ministério da Defesa Nacional
- Ministério dos Negócios Estrangeiros
- Ministério da Administração Interna
- Ministério da Justiça
- Ministério da Economia e da Inovação
- Ministério da Agricultura, Desenvolvimento Rural e Pescas
- Ministério da Educação
- Ministério da Ciência, da Tecnologia e do Ensino Superior
- Ministério da Cultura
- Ministério da Saúde
- Ministério do Trabalho e da Solidariedade Social
- Ministério das Obras Públicas, Transportes e Comunicações
- Ministério do Ambiente, do Ordenamento do Território e do Desenvolvimento Regional
- Presidência da República
- Tribunal Constitucional
- Tribunal de Contas
- Provedoria de Justiça

Romania

- Administrația Prezidențială
- Senatul României
- Camera Deputaților
- Înalta Curte de Casație și Justiție

- Curtea Constituțională
- Consiliul Legislativ
- Curtea de Conturi
- Consiliul Superior al Magistraturii
- Parchetul de pe lângă Înalta Curte de Casație și Justiție
- Secretariatul General al Guvernului
- Cancelaria prim-ministrului
- Ministerul Afacerilor Externe
- Ministerul Economiei și Finanțelor
- Ministerul Justiției
- Ministerul Apărării
- Ministerul Internelor și Reformei Administrative
- Ministerul Muncii, Familiei și Egalității de Șanse
- Ministerul pentru Întreprinderi Mici și Mijlocii, Comerț, Turism și Profesii Libérale
- Ministerul Agriculturii și Dezvoltării Rurale
- Ministerul Transporturilor
- Ministerul Dezvoltării, Lucrărilor Publice și Locuinței
- Ministerul Educației Cercetării și Tineretului
- Ministerul Sănătății Publice
- Ministerul Culturii și Cultelor
- Ministerul Comunicațiilor și Tehnologiei Informației
- Ministerul Mediului și Dezvoltării Durabile
- Serviciul Român de Informații
- Serviciul de Informații Externe
- Serviciul de Protecție și Pază
- Serviciul de Telecomunicații Speciale
- Consiliul Național al Audiovizualului
- Consiliul Concurenței (CC)
- Direcția Națională Anticorupție
- Inspectoratul General de Poliție
- Autoritatea Națională pentru Reglementarea și Monitorizarea Achizițiilor Publice
- Consiliul Național de Soluționare a Contestațiilor
- Autoritatea Națională de Reglementare pentru Serviciile Comunitare de Utilități Publice (ANRSC)
- Autoritatea Națională Sanitară Veterinară și pentru Siguranța Alimentelor
- Autoritatea Națională pentru Protecția Consumatorilor
- Autoritatea Navală Română
- Autoritatea Feroviară Română
- Autoritatea Rutieră Română
- Autoritatea Națională pentru Protecția Drepturilor Copilului
- Autoritatea Națională pentru Persoanele cu Handicap
- Autoritatea Națională pentru Turism
- Autoritatea Națională pentru Restituirea Proprietăților
- Autoritatea Națională pentru Tineret

- Autoritatea Națională pentru Cercetare Științifică
- Autoritatea Națională pentru Reglementare în Comunicații și Tehnologia Informației
- Autoritatea Națională pentru Serviciile Societății Informaționale
- Autoritatea Electorală Permanentă
- Agenția pentru Strategii Guvernamentale
- Agenția Națională a Medicamentului
- Agenția Națională pentru Sport
- Agenția Națională pentru Ocuparea Forței de Muncă
- Agenția Națională de Reglementare în Domeniul Energiei
- Agenția Română pentru Conservarea Energiei
- Agenția Națională pentru Resurse Minerale
- Agenția Română pentru Investiții Străine
- Agenția Națională pentru Întreprinderi Mici și Mijlocii și Cooperatie
- Agenția Națională a Funcționarilor Publici
- Agenția Națională de Administrare Fiscală
- Agenția de Compensare pentru Achiziții de Tehnică Specială
- Agenția Națională Antidoping
- Agenția Nucleară
- Agenția Națională pentru Protecția Familiei
- Agenția Națională pentru Egalitatea de Șanse între Bărbați și Femei
- Agenția Națională pentru Protecția Mediului
- Agenția Națională Antidrog

Slovenia

- Predsednik Republike Slovenije
- Državni zbor Republike Slovenije
- Državni svet Republike Slovenije
- Varuh človekovih pravic
- Ustavno sodišče Republike Slovenije
- Računsko sodišče Republike Slovenije
- Državna revizijska komisija za revizijo postopkov oddaje javnih naročil
- Slovenska akademija znanosti in umetnosti
- Vladne službe
- Ministrstvo za finance
- Ministrstvo za notranje zadeve
- Ministrstvo za zunanje zadeve
- Ministrstvo za obrambo
- Ministrstvo za pravosodje
- Ministrstvo za gospodarstvo
- Ministrstvo za kmetijstvo, gozdarstvo in prehrano
- Ministrstvo za promet
- Ministrstvo za okolje in prostor
- Ministrstvo za delo, družino in socialne zadeve
- Ministrstvo za zdravje

- Ministrstvo za javno upravo
- Ministrstvo za šolstvo in šport
- Ministrstvo za visoko šolstvo, znanost in tehnologijo
- Ministrstvo za kulturo
- Vrhovno sodišče Republike Slovenije
- višja sodišča
- okrožna sodišča
- okrajna sodišča
- Vrhovno državno tožilstvo Republike Slovenije
- Okrožna državna tožilstva
- Državno pravobranilstvo
- Upravno sodišče Republike Slovenije
- Višje delovno in socialno sodišče
- delovna sodišča
- Davčna uprava Republike Slovenije
- Carinska uprava Republike Slovenije
- Urad Republike Slovenije za preprečevanje pranja denarja
- Urad Republike Slovenije za nadzor prirejanja iger na srečo
- Uprava Republike Slovenije za javna plačila
- Urad Republike Slovenije za nadzor proračuna
- Policija
- Inšpektorat Republike Slovenije za notranje zadeve
- Generalštab Slovenske vojske
- Uprava Republike Slovenije za zaščito in reševanje
- Inšpektorat Republike Slovenije za obrambo
- Inšpektorat Republike Slovenije za varstvo pred naravnimi in drugimi nesrečami
- Uprava Republike Slovenije za izvrševanje kazenskih sankcij
- Urad Republike Slovenije za varstvo konkurence
- Urad Republike Slovenije za varstvo potrošnikov
- Tržni inšpektorat Republike Slovenije
- Urad Republike Slovenije za intelektualno lastnino
- Inšpektorat Republike Slovenije za elektronske komunikacije, elektronsko podpisovanje in pošto
- Inšpektorat za energetiko in rudarstvo
- Agencija Republike Slovenije za kmetijske trge in razvoj podeželja
- Inšpektorat Republike Slovenije za kmetijstvo, gozdarstvo in hrano
- Fitosanitarna uprava Republike Slovenije
- Veterinarska uprava Republike Slovenije
- Uprava Republike Slovenije za pomorstvo
- Direkcija Republike Slovenije za ceste
- Prometni inšpektorat Republike Slovenije
- Direkcija za vodenje investicij v javno železniško infrastrukturo
- Agencija Republike Slovenije za okolje
- Geodetska uprava Republike Slovenije

- Uprava Republike Slovenije za jedrsko varstvo
- Inšpektorat Republike Slovenije za okolje in prostor
- Inšpektorat Republike Slovenije za delo
- Zdravstveni inšpektorat
- Urad Republike Slovenije za kemikalije
- Uprava Republike Slovenije za varstvo pred sevanji
- Urad Republike Slovenije za meroslovje
- Urad za visoko šolstvo
- Urad Republike Slovenije za mladino
- Inšpektorat Republike Slovenije za šolstvo in šport
- Arhiv Republike Slovenije
- Inšpektorat Republike Slovenije za kulturo in medije
- Kabinet predsednika Vlade Republike Slovenije
- Generalni sekretariat Vlade Republike Slovenije
- Služba vlade za zakonodajo
- Služba vlade za evropske zadeve
- Služba vlade za lokalno samoupravo in regionalno politiko
- Urad vlade za komuniciranje
- Urad za enake možnosti
- Urad za verske skupnosti
- Urad za narodnosti
- Urad za makroekonomske analize in razvoj
- Statistični urad Republike Slovenije
- Slovenska obveščevalno-varnostna agencija
- Protokol Republike Slovenije
- Urad za varovanje tajnih podatkov
- Urad za Slovence v zamejstvu in po svetu
- Služba Vlade Republike Slovenije za razvoj
- Informacijski pooblaščenec
- Državna volilna komisija

Slovakia

Ministries and other central government authorities referred to as in Act No. 575/2001 Coll. on the structure of activities of the Government and central state administration authorities in wording of later regulations:

- Kancelária Prezidenta Slovenskej republiky
- Národná rada Slovenskej republiky
- Ministerstvo hospodárstva Slovenskej republiky
- Ministerstvo financií Slovenskej republiky
- Ministerstvo dopravy, pôšt a telekomunikácií Slovenskej republiky
- Ministerstvo pôdohospodárstva Slovenskej republiky
- Ministerstvo výstavby a regionálneho rozvoja Slovenskej republiky
- Ministerstvo vnútra Slovenskej republiky
- Ministerstvo obrany Slovenskej republiky

- Ministerstvo spravodlivosti Slovenskej republiky
- Ministerstvo zahraničných vecí Slovenskej republiky
- Ministerstvo práce, sociálnych vecí a rodiny Slovenskej republiky
- Ministerstvo životného prostredia Slovenskej republiky
- Ministerstvo školstva Slovenskej republiky
- Ministerstvo kultúry Slovenskej republiky
- Ministerstvo zdravotníctva Slovenskej republiky
- Úrad vlády Slovenskej republiky
- Protimonopolný úrad Slovenskej republiky
- Štatistický úrad Slovenskej republiky
- Úrad geodézie, kartografie a katastra Slovenskej republiky
- Úrad jadrového dozoru Slovenskej republiky
- Úrad pre normalizáciu, metrológiu a skúšobníctvo Slovenskej republiky
- Úrad pre verejné obstarávanie
- Úrad priemyselného vlastníctva Slovenskej republiky
- Správa štátnych hmotných rezerv Slovenskej republiky
- Národný bezpečnostný úrad
- Ústavný súd Slovenskej republiky
- Najvyšší súd Slovenskej republiky
- Generálna prokuratúra Slovenskej republiky
- Najvyšší kontrolný úrad Slovenskej republiky
- Telekomunikačný úrad Slovenskej republiky
- Úrad priemyselného vlastníctva Slovenskej republiky
- Úrad pre finančný trh
- Úrad na ochranu osobných údajov
- Kancelária verejného ochrancu práv

Finland

- Oikeuskanslerinvirasto – Justitiekanslersämbetet
- Liikenne- ja viestintäministeriö – Kommunikationsministeriet
 - Ajoneuvohallintokeskus AKE – Fordonsförvaltningscentralen AKE
 - Ilmailuhallinto – Luftfartsförvaltningen
 - Ilmatieteen laitos – Meteorologiska institutet
 - Merenkulkulaitos – Sjöfartsverket
 - Merentutkimuslaitos – Havsforskningsinstitutet
 - Ratahallintokeskus RHK – Banförvaltningscentralen RHK
 - Rautatievirasto – Järnvägsverket
 - Tiehallinto – Vägförvaltningen
 - Viestintävirasto – Kommunikationsverket
- Maa- ja metsätalousministeriö – Jord- och skogsbruksministeriet
 - Elintarviketurvallisuusvirasto – Livsmedelssäkerhetsverket
 - Maanmittauslaitos – Lantmäteriverket
 - Maaseutuvirasto – Landsbygdsverket

- Oikeusministeriö – Justitieministeriet
 - Tietosuojavaltuutetun toimisto – Dataombudsmannens byrå
 - Tuomioistuimet – domstolar
 - Korkein oikeus – Högsta domstolen
 - Korkein hallinto-oikeus – Högsta förvaltningsdomstolen
 - Hovioikeudet – hovrätter
 - Käräjäoikeudet – tingsrätter
 - Hallinto-oikeudet – förvaltningsdomstolar
 - Markkinaoikeus – Marknadsdomstolen
 - Työtuomioistuin – Arbetsdomstolen
 - Vakuutusoiikeus – Försäkringsdomstolen
 - Kuluttajariitalautakunta – Konsumenttvistnämnden
 - Vankeinhoitolaitos – Fångvårdsväsendet
 - HEUNI - Yhdistyneiden Kansakuntien yhteydessä toimiva Euroopan kriminaalipolitiikan instituutti – HEUNI - Europeiska institutet för kriminalpolitik, verksamt i anslutning till Förenta Nationerna
 - Konkursiasiamiehen toimisto – Konkursombudsmannens byrå
 - Kuluttajariitalautakunta – Konsumenttvistnämnden
 - Oikeushallinnon palvelukeskus – Justitieförvaltningens servicecentral
 - Oikeushallinnon tietotekniikkakeskus – Justitieförvaltningens datateknikcentral
 - Oikeuspoliittinen tutkimuslaitos (Optula) – Rättspolitiska forskningsinstitutet
 - Oikeusrekisterikeskus – Rättsregistercentralen
 - Onnettomuustutkintakeskus – Centralen för undersökning av olyckor
 - Rikosseuraamusvirasto – Brottspåföljdsverket
 - Rikosseuraamusalan koulutuskeskus – Brottspåföljdsområdets utbildningscentral
 - Riksentorjuntaneuvosto – Rådet för brottsförebyggande
 - Saamelaiskäräjät – Sametinget
 - Valtakunnansyyttäjänvirasto – Riksåklagarämbetet
 - Vankeinhoitolaitos – Fångvårdsväsendet
- Opetusministeriö – Undervisningsministeriet
 - Opetushallitus – Utbildningsstyrelsen
 - Valtion elokuvatarkastamo – Statens filmgranskningsbyrå
- Puolustusministeriö – Försvarsministeriet
 - Puolustusvoimat – Försvarsmakten
- Sisäasiainministeriö – Inrikesministeriet
 - Väestörekisterikeskus – Befolkningsregistercentralen
 - Keskusrikospoliisi – Centralkriminalpolisen
 - Liikkuva poliisi – Rörliga polisen
 - Rajavartiolaitos – Gränsbevakningsväsendet
 - Lääninhallitukset – Länstyrelserna
 - Suojelupoliisi – Skyddspolisen
 - Poliisiammattikorkeakoulu – Polisyrkeshögskolan

- Poliisin tekniikkakeskus – Polisens teknikcentral
- Poliisin tietohallintokeskus – Polisens datacentral
- Helsingin kihlakunnan poliisilaitos – Polisnärättningen i Helsingfors
- Pelastusopisto – Räddningsverket
- Häätäkeskuslaitos – Nödcentralsverket
- Maahanmuuttovirasto – Migrationsverket
- Sisäasiainhallinnon palvelukeskus – Inrikesförvaltningens servicecentral
- Sosiaali- ja terveystieteiden ministeriö – Social- och hälsovårdsministeriet
 - Työttömyysturvan muutoksenhakulautakunta – Besvärnämnden för utkomstskyddsärenden
 - Sosiaaliturvan muutoksenhakulautakunta – Besvärnämnden för socialtrygghet
 - Lääkelaitos – Läkemedelsverket
 - Terveystieteiden oikeusturvakeskus – Rättsskyddscentralen för hälsovården
 - Säteilyturvakeskus – Strålsäkerhetscentralen
 - Kansanterveyslaitos – Folkhälsoinstitutet
 - Lääkehoidon kehittämiskeskus ROHTO – Utvecklingscentralen för läkemedelsbehandling
 - Sosiaali- ja terveystieteiden tuotevalvontakeskus – Social- och hälsovårdens – produkttillsynscentral
 - Sosiaali- ja terveystieteiden tutkimus- ja kehittämiskeskus Stakes – Forsknings- och – utvecklingscentralen för social- och hälsovården Stakes
 - Vakuutusvalvontavirasto – Försäkringsinspektionen
- Työ- ja elinkeinoministeriö – Arbets- och näringsministeriet
 - Kuluttajavirasto – Konsumentverket
 - Kilpailuvirasto – Konkurrensverket
 - Patentti- ja rekisterihallitus – Patent- och registerstyrelsen
 - Valtakunnansovittelijain toimisto – Riksförlikningsmännens byrå
 - Valtion turvapaikanhakijoiden vastaanottokeskukset – Statliga förläggningar för asylsökande
 - Energiamarkkinavirasto – Energimarknadsverket
 - Geologian tutkimuskeskus – Geologiska forskningscentralen
 - Huoltovarmuuskeskus – Försörjningsberedskapscentralen
 - Kuluttajatutkimuskeskus – Konsumentforskningscentralen
 - Matkailun edistämiskeskus (MEK) – Centralen för turistfrämjande
 - Mittatekniikan keskus (MIKES) – Mätteknikcentralen
 - Tekes - teknologian ja innovaatioiden kehittämiskeskus – Tekes -utvecklingscentralen för teknologi och innovationer
 - Turvatekniikan keskus (TUKES) – Säkerhetsteknikcentralen
 - Valtion teknillinen tutkimuskeskus (VTT) – Statens tekniska forskningscentral
 - Syrjintälautakunta – Nationella diskrimineringsnämnden
 - Työneuvosto – Arbetsrådet
 - Vähemmistövaltuutetun toimisto – Minoritetsombudsmännens byrå
- Ulkoasiainministeriö – Utrikesministeriet
- Valtioneuvoston kanslia – Statsrådets kansli
- Valtiovarainministeriö – Finansministeriet
 - Valtiokonttori – Statskontoret

- Verohallinto – Skatteförvaltningen
- Tullilaitos – Tullverket
- Tilastokeskus – Statistikcentralen
- Valtion taloudellinen tutkimuskeskus – Statens ekonomiska forskningscentral
- Ympäristöministeriö – Miljöministeriet
 - Suomen ympäristökeskus – Finlands miljöcentral
 - Asumisen rahoitus- ja kehityskeskus – Finansierings- och utvecklingscentralen för boendet
- Valtiontalouden tarkastusvirasto – Statens revisionsverk

Sweden

A

- Affärsverket svenska kraftnät
- Akademien för de fria konsterna
- Alkohol- och läkemedelssortiments-nämnden
- Allmänna pensionsfonden
- Allmänna reklamationsnämnden
- Ambassader
- Ansvarsnämnd, statens
- Arbetsdomstolen
- Arbetsförmedlingen
- Arbetsgivarverk, statens
- Arbetslivsinstitutet
- Arbetsmiljöverket
- Arkitekturmuseet
- Arrendenämnder
- Arvsfondsdelegationen

B

- Banverket
- Barnombudsmannen
- Beredning för utvärdering av medicinsk metodik, statens
- Bergsstaten
- Biografbyrå, statens
- Biografiskt lexikon, svenskt
- Birgittaskolan
- Blekinge tekniska högskola
- Bokföringsnämnden
- Bolagsverket
- Bostadsnämnd, statens
- Bostadskreditnämnd, statens
- Boverket
- Brottsförebyggande rådet
- Brottsoffermyndigheten

C

- Centrala studiestödsnämnden

D

- Danshögskolan
- Datainspektionen
- Departementen
- Domstolsverket
- Dramatiska institutet

E

- Ekeskolan
- Ekobrottsmyndigheten
- Ekonomistyrningsverket
- Ekonomiska rådet
- Elsäkerhetsverket
- Energimarknadsinspektionen
- Energimyndighet, statens
- EU/FoU-rådet
- Exportkreditnämnden
- Exportråd, Sveriges

F

- Fastighetsmäklarnämnden
- Fastighetsverk, statens
- Fideikommissnämnden
- Finansinspektionen
- Finanspolitiska rådet
- Finsk-svenska gränsälvskommissionen
- Fiskeriverket
- Flygmedicincentrum
- Folkhälsoinstitut, statens
- Fonden för fukt- och mögelskador
- Forskningsrådet för miljö, areella näringar och samhällsbyggande, Formas
- Folke Bernadotteakademin
- Forskarskattenämnden
- Forskningsrådet för arbetsliv och socialvetenskap
- Fortifikationsverket
- Forum för levande historia
- Försvarets materielverk
- Försvarets radioanstalt
- Försvarets underrättelsenämnd
- Förvarshistoriska museer, statens
- Förvarshögskolan
- Förvarsmakten
- Försäkringskassan

G

- Gentekniknämnden
- Geologiska undersökning
- Geotekniska institut, statens
- Giftinformationscentralen
- Glesbygdsverket
- Grafiska institutet och institutet för högre kommunikation- och reklamutbildning
- Granskningsnämnden för radio och TV
- Granskningsnämnden för försvarsuppfinningar
- Gymnastik- och Idrottshögskolan
- Göteborgs universitet

H

- Handelsflottans kultur- och fritidsråd
- Handelsflottans pensionsanstalt
- Handelssekreterare
- Handelskamrar, auktoriserade
- Handikappombudsmannen
- Handikappråd, statens
- Harpsundsnämnden
- Haverikommission, statens
- Historiska museer, statens
- Hjälpmedelsinstitutet
- Hovrätterna
- Hyresnämnder
- Häktena
- Hälso- och sjukvårdens ansvarsnämnd
- Högskolan Dalarna
- Högskolan i Borås
- Högskolan i Gävle
- Högskolan i Halmstad
- Högskolan i Kalmar
- Högskolan i Karlskrona/Ronneby
- Högskolan i Kristianstad
- Högskolan i Skövde
- Högskolan i Trollhättan/Uddevalla
- Högskolan på Gotland
- Högskolans avskiljandenämnd
- Högscoleverket
- Högsta domstolen

I

- ILO-kommittén
- Inspektionen för arbetslöshetsförsäkringen
- Inspektionen för strategiska produkter

- Institut för kommunikationsanalys, statens
- Institut för psykosocial medicin, statens
- Institut för särskilt utbildningsstöd, statens
- Institutet för arbetsmarknadspolitisk utvärdering
- Institutet för rymdfysik
- Institutet för tillväxtpolitiska studier
- Institutionsstyrelse, statens
- Insättningsgarantinämnden
- Integrationsverket
- Internationella programkontoret för utbildningsområdet

J

- Jordbruksverk, statens
- Justitiekanslern
- Jämställdhetsombudsmannen
- Jämställdhetsnämnden
- Järnvägar, statens
- Järnvägsstyrelsen

K

- Kammarkollegiet
- Kamrätterna
- Karlstads universitet
- Karolinska Institutet
- Kemikalieinspektionen
- Kommerskollegium
- Konjunkturinstitutet
- Konkurrensverket
- Konstfack
- Konsthögskolan
- Konstnärsnämnden
- Konstråd, statens
- Konsulat
- Konsumentverket
- Krigsvetenskapsakademin
- Krigsförsäkringsnämnden
- Kriminaltekniska laboratorium, statens
- Kriminalvården
- Krisberedskapsmyndigheten
- Kristinaskolan
- Kronofogdemyndigheten
- Kulturråd, statens
- Kungl. Biblioteket
- Kungl. Konsthögskolan
- Kungl. Musikhögskolan i Stockholm

- Kungl. Tekniska högskolan
- Kungl. Vitterhets-, historie- och antikvitetsakademien
- Kungl. Vetenskapsakademien
- Kustbevakningen
- Kvalitets- och kompetensråd, statens
- Kärnavfallsfondens styrelse

L

- Lagrådet
- Lantbruksuniversitet, Sveriges
- Lantmäteriverket
- Linköpings universitet
- Livrustkammaren, Skoklosters slott och Hallwylska museet
- Livsmedelsverk, statens
- Livsmedelsekonomiska institutet
- Ljud- och bildarkiv, statens
- Lokala säkerhetsnämnderna vid kärnkraftverk
- Lotteriinspektionen
- Luftfartsverket
- Luftfartsstyrelsen
- Luleå tekniska universitet
- Lunds universitet
- Läkemedelsverket
- Läkemedelsförmånsnämnden
- Länsrätterna
- Länsstyrelserna
- Lärarhögskolan i Stockholm

M

- Malmö högskola
- Manillaskolan
- Maritima muséer, statens
- Marknadsdomstolen
- Medlingsinstitutet
- Meteorologiska och hydrologiska institut, Sveriges
- Migrationsverket
- Militärhögskolor
- Mittuniversitetet
- Moderna museet
- Museer för världskultur, statens
- Musikaliska Akademien
- Musiksamlingar, statens
- Myndigheten för handikappolitisk samordning
- Myndigheten för internationella adoptionsfrågor
- Myndigheten för skolutveckling

- Myndigheten för kvalificerad yrkesutbildning
- Myndigheten för nätverk och samarbete inom högre utbildning
- Myndigheten för Sveriges nätuniversitet
- Myndigheten för utländska investeringar i Sverige
- Mälardalens högskola

N

- Nationalmuseum
- Nationellt centrum för flexibelt lärande
- Naturhistoriska riksmuseet
- Naturvårdsverket
- Nordiska Afrikainstitutet
- Notarienämnden
- Nämnd för arbetstagares uppfinningar, statens
- Nämnden för statligt stöd till trossamfund
- Nämnden för styrelserepresentationsfrågor
- Nämnden mot diskriminering
- Nämnden för elektronisk förvaltning
- Nämnden för Rh-anpassad utbildning
- Nämnden för hemslöjdsfrågor

O

- Oljekrisnämnden
- Ombudsmannen mot diskriminering på grund av sexuell läggning
- Ombudsmannen mot etnisk diskriminering
- Operahögskolan i Stockholm

P

- Patent- och registreringsverket
- Patentbesvärslagen
- Pensionsverk, statens
- Personregisternämnd statens, SPAR-nämnden
- Pliktverk, Totalförsvarets
- Polarforskningssekretariatet
- Post- och telestyrelsen
- Premiepensionsmyndigheten
- Presstödsnämnden

R

- Radio- och TV-verket
- Rederinämnden
- Regeringskansliet
- Regeringsrätten
- Resegarantinämnden
- Registernämnden
- Revisorsnämnden

- Riksantikvarieämbetet
- Riksarkivet
- Riksbanken
- Riksdagsförvaltningen
- Riksdagens ombudsmän
- Riksdagens revisorer
- Riksgäldskontoret
- Rikshemvärnsrådet
- Rikspolisstyrelsen
- Riksrevisionen
- Rikstrafiken
- Riksutställningar, Stiftelsen
- Riksvärderingsnämnden
- Rymdstyrelsen
- Rådet för Europeiska socialfonden i Sverige
- Räddningsverk, statens
- Rättshjälpsmyndigheten
- Rättshjälpsnämnden
- Rättsmedicinalverket

S

- Samarbetsnämnden för statsbidrag till trossamfund
- Sameskolstyrelsen och sameskolor
- Sametinget
- SIS, Standardiseringen i Sverige
- Sjöfartsverket
- Skatterättsnämnden
- Skatteverket
- Skaderegleringsnämnd, statens
- Skiljenämnden i vissa trygghetsfrågor
- Skogsstyrelsen
- Skogsvårdsstyrelserna
- Skogs- och lantbruksakademien
- Skolverk, statens
- Skolväsendets överklagandenämnd
- Smittskyddsinstitutet
- Socialstyrelsen
- Specialpedagogiska institutet
- Specialskolemyndigheten
- Språk- och folkminnesinstitutet
- Sprängämnesinspektionen
- Statistiska centralbyrån
- Statskontoret
- Stockholms universitet

- Stockholms internationella miljöinstitut
- Strålsäkerhetsmyndigheten
- Styrelsen för ackreditering och teknisk kontroll
- Styrelsen för internationellt utvecklingssamarbete, SIDA
- Styrelsen för Samefonden
- Styrelsen för psykologiskt försvar
- Stängselnämnden
- Svenska institutet
- Svenska institutet för europapolitiska studier
- Svenska ESF-rådet
- Svenska Unescorådet
- Svenska FAO kommittén
- Svenska Språknämnden
- Svenska Skeppshypotekskassan
- Svenska institutet i Alexandria
- Sveriges författarfond
- Säkerhetspolisen
- Säkerhets- och integritetsskyddsnämnden
- Södertörns högskola

T

- Taltidningsnämnden
- Talboks- och punktskriftsbiblioteket
- Teaterhögskolan i Stockholm
- Tingsrätterna
- Tjänstepensions och grupplivnämnd, statens
- Tjänsteförslagsnämnden för domstolsväsendet
- Totalförsvarets forskningsinstitut
- Totalförsvarets pliktverk
- Tullverket
- Turistdelegationen

U

- Umeå universitet
- Ungdomsstyrelsen
- Uppsala universitet
- Utlandslönenämnd, statens
- Utlänningsnämnden
- Utrikesförvaltningens antagningsnämnd
- Utrikesnämnden
- Utsädeskontroll, statens

V

- Valideringsdelegationen
- Valmyndigheten

- Vatten- och avloppsnämnd, statens
- Vattenöverdomstolen
- Verket för förvaltningsutveckling
- Verket för högskoleservice
- Verket för innovationssystem (VINNOVA)
- Verket för näringslivsutveckling (NUTEK)
- Vetenskapsrådet
- Veterinärmedicinska anstalt, statens
- Veterinära ansvarsnämnden
- Väg- och transportforskningsinstitut, statens
- Vägverket
- Vänerskolan
- Växjö universitet
- Växsortnämnd, statens

Å

- Åklagarmyndigheten
- Åsbackaskolan

Ö

- Örebro universitet
- Örlogsmannasällskapet
- Östervångsskolan
- Överbefälhavaren
- Överklagandenämnden för högskolan
- Överklagandenämnden för nämndemannauppdrag
- Överklagandenämnden för studiestöd
- Överklagandenämnden för totalförsvaret

United Kingdom

- Cabinet Office
 - Office of the Parliamentary Counsel
- Central Office of Information
- Charity Commission
- Crown Estate Commissioners (Vote Expenditure Only)
- Crown Prosecution Service
- Department for Business, Enterprise and Regulatory Reform
 - Competition Commission
 - Gas and Electricity Consumers' Council
 - Office of Manpower Economics
- Department for Children, Schools and Families
- Department of Communities and Local Government
 - Rent Assessment Panels
- Department for Culture, Media and Sport
 - British Library

- British Museum
- Commission for Architecture and the Built Environment
- The Gambling Commission
- Historic Buildings and Monuments Commission for England (English Heritage)
- Imperial War Museum
- Museums, Libraries and Archives Council
- National Gallery
- National Maritime Museum
- National Portrait Gallery
- Natural History Museum
- Science Museum
- Tate Gallery
- Victoria and Albert Museum
- Wallace Collection
- Department for Environment, Food and Rural Affairs
 - Agricultural Dwelling House Advisory Committees
 - Agricultural Land Tribunals
 - Agricultural Wages Board and Committees
 - Cattle Breeding Centre
 - Countryside Agency
 - Plant Variety Rights Office
 - Royal Botanic Gardens, Kew
 - Royal Commission on Environmental Pollution
- Department of Health
 - Dental Practice Board
 - National Health Service Strategic Health Authorities
 - NHS Trusts
 - Prescription Pricing Authority
- Department for Innovation, Universities and Skills
 - Higher Education Funding Council for England
 - National Weights and Measures Laboratory
 - Patent Office
- Department for International Development
- Department of the Procurator General and Treasury Solicitor
 - Legal Secretariat to the Law Officers
- Department for Transport
 - Maritime and Coastguard Agency
- Department for Work and Pensions
 - Disability Living Allowance Advisory Board
 - Independent Tribunal Service
 - Medical Boards and Examining Medical Officers (War Pensions)
 - Occupational Pensions Regulatory Authority

- Regional Medical Service
- Social Security Advisory Committee
- Export Credits Guarantee Department
- Foreign and Commonwealth Office
 - Wilton Park Conference Centre
- Government Actuary's Department
- Government Communications Headquarters
- Home Office
 - HM Inspectorate of Constabulary
- House of Commons
- House of Lords
- Ministry of Defence
 - Defence Equipment & Support
 - Meteorological Office
 - Ministry of Justice
 - Boundary Commission for England
 - Combined Tax Tribunal
 - Council on Tribunals
 - Court of Appeal - Criminal
 - Employment Appeals Tribunal
 - Employment Tribunals
 - HMCS Regions, Crown, County and Combined Courts (England and Wales)
 - Immigration Appellate Authorities
 - Immigration Adjudicators
 - Immigration Appeals Tribunal
 - Lands Tribunal
 - Law Commission
 - Legal Aid Fund (England and Wales)
 - Office of the Social Security Commissioners
 - Parole Board and Local Review Committees
 - Pensions Appeal Tribunals
 - Public Trust Office
 - Supreme Court Group (England and Wales)
 - Transport Tribunal
- The National Archives
- National Audit Office
- National Savings and Investments
- National School of Government
- Northern Ireland Assembly Commission
- Northern Ireland Court Service
 - Coroners Courts
 - County Courts

- Court of Appeal and High Court of Justice in Northern Ireland
- Crown Court
- Enforcement of Judgements Office
- Legal Aid Fund
- Magistrates' Courts
- Pensions Appeals Tribunals
- Northern Ireland, Department for Employment and Learning
- Northern Ireland, Department for Regional Development
- Northern Ireland, Department for Social Development
- Northern Ireland, Department of Agriculture and Rural Development
- Northern Ireland, Department of Culture, Arts and Leisure
- Northern Ireland, Department of Education
- Northern Ireland, Department of Enterprise, Trade and Investment
- Northern Ireland, Department of the Environment
- Northern Ireland, Department of Finance and Personnel
- Northern Ireland, Department of Health, Social Services and Public Safety
- Northern Ireland, Office of the First Minister and Deputy First Minister
- Northern Ireland Office
 - Crown Solicitor's Office
 - Department of the Director of Public Prosecutions for Northern Ireland
 - Forensic Science Laboratory of Northern Ireland
 - Office of the Chief Electoral Officer for Northern Ireland
 - Police Service of Northern Ireland
 - Probation Board for Northern Ireland
 - State Pathologist Service
- Office of Fair Trading
- Office for National Statistics
 - National Health Service Central Register
- Office of the Parliamentary Commissioner for Administration and Health Service Commissioners
- Paymaster General's Office
- Postal Business of the Post Office
- Privy Council Office
- Public Record Office
- HM Revenue and Customs
 - The Revenue and Customs Prosecutions Office
- Royal Hospital, Chelsea
- Royal Mint
- Rural Payments Agency
- Scotland, Auditor-General
- Scotland, Crown Office and Procurator Fiscal Service
- Scotland, General Register Office
- Scotland, Queen's and Lord Treasurer's Remembrancer

-
- Scotland, Registers of Scotland
 - The Scotland Office
 - The Scottish Ministers
 - Architecture and Design Scotland
 - Crofters Commission
 - Deer Commission for Scotland
 - Lands Tribunal for Scotland
 - National Galleries of Scotland
 - National Library of Scotland
 - National Museums of Scotland
 - Royal Botanic Garden, Edinburgh
 - Royal Commission on the Ancient and Historical Monuments of Scotland
 - Scottish Further and Higher Education Funding Council
 - Scottish Law Commission
 - Community Health Partnerships
 - Special Health Boards
 - Health Boards
 - The Office of the Accountant of Court
 - High Court of Justiciary
 - Court of Session
 - HM Inspectorate of Constabulary
 - Parole Board for Scotland
 - Pensions Appeal Tribunals
 - Scottish Land Court
 - Sheriff Courts
 - Scottish Police Services Authority
 - Office of the Social Security Commissioners
 - The Private Rented Housing Panel and Private Rented Housing Committees
 - Keeper of the Records of Scotland
 - The Scottish Parliamentary Body Corporate
 - HM Treasury
 - Office of Government Commerce
 - United Kingdom Debt Management Office
 - The Wales Office (Office of the Secretary of State for Wales)
 - The Welsh Ministers
 - Higher Education Funding Council for Wales
 - Local Government Boundary Commission for Wales
 - The Royal Commission on the Ancient and Historical Monuments of Wales
 - Valuation Tribunals (Wales)
 - Welsh National Health Service Trusts and Local Health Boards
 - Welsh Rent Assessment Panels

3. List of supplies and equipment purchased by Ministries of defence and Agencies for defence or security activities in Belgium, Bulgaria, Czech republic, Denmark, Germany, Estonia, Ireland, Greece, Spain, France, Italy, Cyprus, Latvia, Lithuania, Luxembourg, Hungary, Malta, the Netherlands, Austria, Poland, Portugal, Romania, Slovenia, Slovakia, Finland, Sweden and the United Kingdom that are covered by Chapter II of Section V of Title II of this Agreement:

Chapter 25: Salt, sulphur, earths and stone, plastering materials, lime and cement

Chapter 26: Metallic ores, slag and ash

Chapter 27: Mineral fuels, mineral oils and products of their distillation, bituminous substances, mineral waxes
except:

ex 27.10: special engine fuels

Chapter 28: Inorganic chemicals, organic and inorganic compounds of precious metals, of rare-earth metals, of radio-active elements and isotopes

except:

ex 28.09: explosives

ex 28.13: explosives

ex 28.14: tear gas

ex 28.28: explosives

ex 28.32: explosives

ex 28.39: explosives

ex 28.50: toxic products

ex 28.51: toxic products

ex 28.54: explosives

Chapter 29: Organic chemicals

except:

ex 29.03: explosives

ex 29.04: explosives

ex 29.07: explosives

ex 29.08: explosives

ex 29.11: explosives

ex 29.12: explosives

ex 29.13: toxic products

ex 29.14: toxic products

ex 29.15: toxic products

ex 29.21: toxic products

ex 29.22: toxic products

ex 29.23: toxic products

ex 29.26: explosives

ex 29.27: toxic products

ex 29.29: explosives

Chapter 30: Pharmaceutical products

Chapter 31: Fertilisers

Chapter 32: Tanning and dyeing extracts, tannings and their derivatives, dyes, colours, paints and varnishes, putty, fillers and stoppings, inks

Chapter 33: Essential oils and resinoids, perfumery, cosmetic or toilet preparations

- Chapter 34: Soap, organic surface-active agents, washing preparations, lubricating preparations, artificial waxes, prepared waxes, polishing and scouring preparations, candles and similar articles, modelling pastes and 'dental waxes'
- Chapter 35: Albuminoidal substances, glues, enzymes
- Chapter 37: Photographic and cinematographic goods
- Chapter 38: Miscellaneous chemical products
except:
ex 38.19: toxic products
- Chapter 39: Artificial resins and plastic materials, cellulose esters and ethers, articles thereof
except:
ex 39.03: explosives
- Chapter 40: Rubber, synthetic rubber, factice, and articles thereof
except:
ex 40.11: bullet-proof tyres
- Chapter 41: Raw hides and skins (other than fur skins) and leather
- Chapter 42: Articles of leather, saddlery and harness, travel goods, handbags and similar containers, articles of animal gut (other than silk-worm gut)
- Chapter 43: Furskins and artificial fur, manufactures thereof
- Chapter 44: Wood and articles of wood, wood charcoal
- Chapter 45: Cork and articles of cork
- Chapter 46: Manufactures of straw of esparto and of other plaiting materials, basket ware and wickerwork
- Chapter 47: Paper-making material
- Chapter 48: Paper and paperboard, articles of paper pulp, of paper or of paperboard
- Chapter 49: Printed books, newspapers, pictures and other products of the printing industry, manuscripts, type-scripts and plans
- Chapter 65: Headgear and parts thereof
- Chapter 66: Umbrellas, sunshades, walking-sticks, whips, riding-crops and parts thereof
- Chapter 67: Prepared feathers and down and articles made of feathers or of down, artificial flowers, articles of human hair
- Chapter 68: Articles of stone, of plaster, of cement, of asbestos, of mica and of similar materials
- Chapter 69: Ceramic products
- Chapter 70: Glass and glassware
- Chapter 71: Pearls, precious and semi-precious stones, precious metals, rolled precious metals, and articles thereof; imitation jewellery
- Chapter 73: Iron and steel and articles thereof
- Chapter 74: Copper and articles thereof
- Chapter 75: Nickel and articles thereof
- Chapter 76: Aluminium and articles thereof
- Chapter 77: Magnesium and beryllium and articles thereof
- Chapter 78: Lead and articles thereof
- Chapter 79: Zinc and articles thereof

- Chapter 80: Tin and articles thereof
- Chapter 81: Other base metals employed in metallurgy and articles thereof
- Chapter 82: Tools, implements, cutlery, spoons and forks, of base metal, parts thereof
except:
 ex 82.05: tools
 ex 82.07: tools, parts
- Chapter 83: Miscellaneous articles of base metal
- Chapter 84: Boilers, machinery and mechanical appliances, parts thereof
except:
 ex 84.06: engines
 ex 84.08: other engines
 ex 84.45: machinery
 ex 84.53: automatic data-processing machines
 ex 84.55: parts of machines under heading No 84.53
 ex 84.59: nuclear reactors
- Chapter 85: Electrical machinery and equipment, parts thereof
except:
 ex 85.13: telecommunication equipment
 ex 85.15: transmission apparatus
- Chapter 86: Railway and tramway locomotives, rolling-stock and parts thereof; railway and tramway tracks fixtures and fittings, traffic signalling equipment of all kinds (not electrically powered)
except:
 ex 86.02: armoured locomotives, electric
 ex 86.03: other armoured locomotives
 ex 86.05: armoured wagons
 ex 86.06: repair wagons
 ex 86.07: wagons
- Chapter 87: Vehicles, other than railway or tramway rolling-stock, and parts thereof
except:
 ex 87.08: tanks and other armoured vehicles
 ex 87.01: tractors
 ex 87.02: military vehicles
 ex 87.03: breakdown lorries
 ex 87.09: motorcycles
 ex 87.14: trailers
- Chapter 89: Ships, boats and floating structures
except:
 ex 89.01 A: warships
- Chapter 90: Optical, photographic, cinematographic, measuring, checking, precision, medical and surgical instruments and apparatus, parts thereof
except:
 ex 90.05: binoculars
 ex 90.13: miscellaneous instruments, lasers
 ex 90.14: telemeters
 ex 90.28: electrical and electronic measuring instruments

- ex 90.11: microscopes
- ex 90.17: medical instruments
- ex 90.18: mechano-therapy appliances
- ex 90.19: orthopaedic appliances
- ex 90.20: X-ray apparatus

Chapter 91: Manufacture of watches and clocks

Chapter 92: Musical instruments, sound recorders or reproducers, television image and sound recorders or reproducers, parts and accessories of such articles

Chapter 94: Furniture and parts thereof, bedding, mattresses, mattress supports, cushions and similar stuffed furnishings

except:

- ex 94.01 A: aircraft seats

Chapter 95: Articles and manufactures of carving or moulding material

Chapter 96: Brooms, brushes, powder-puffs and sieves

Chapter 98: Miscellaneous manufactured articles

Sub-Annex 2

All other entities whose procurement is covered by Chapter II of Section V of Title II of this Agreement

Goods & Services

Thresholds SDR 400 000

Works

Thresholds SDR 5 000 000

Commitments by the Union

All entities listed under Sub-Annex 1 and public authorities and public undertakings which conduct procurement of goods, services and works in accordance with the detailed provisions of Directive 2004/17/EC, for exercising one or more activities referred below:

- (a) the provision or operation of fixed networks intended to provide a service to the public in connection with the production, transport or distribution of drinking water or the supply of drinking water to such networks;
- (b) the provision or operation of fixed networks intended to provide a service to the public in connection with the production, transport or distribution of electricity or the supply of electricity to such networks;
- (c) the provision of airport or other terminal facilities to carriers by air;
- (d) the provision of maritime or inland port or other terminal facilities to carriers by sea or inland waterway;
- (e) operation of networks providing a service to the public in the field of transport by railway, automated systems, tramway, trolley bus, bus or cable;
- (f) activities relating to the exploitation of a geographical area for the purpose of exploring for or extracting oil, gas, coal or other solid fuels.

Commitments by Iraq

All entities listed under Sub-Annex 1 and public authorities and public undertakings which conduct procurement of goods, services and works for exercising one or more activities referred below:

- (a) the provision or operation of fixed networks intended to provide a service to the public in connection with the production, transport or distribution of drinking water or the supply of drinking water to such networks;

- (b) the provision or operation of fixed networks intended to provide a service to the public in connection with the production, transport or distribution of electricity or the supply of electricity to such networks;
- (c) the provision of airport or other terminal facilities to carriers by air;
- (d) the provision of maritime or inland port or other terminal facilities to carriers by sea or inland waterway;
- (e) operation of networks providing a service to the public in the field of transport by railway, automated systems, tramway, trolley bus, bus or cable;
- (f) activities relating to the exploitation of a geographical area for the purpose of exploring for or extracting oil, gas, coal or other solid fuels.

Sub - Annex 3

Services, other than construction services, covered by Chapter II of Section V of Title II of this Agreement

Commitments by Iraq

Subject	CPC Reference No.
Maintenance and repair services	6112, 6122, 633, 886
Land transport services, including armoured car services, and courier services, except transport of mail	712 (except 71235), 7512, 87304
Air transport services of passengers and freight, except transport of mail	73 (except 7321)
Transport of mail by land, except rail, and by air	71235, 7321
Telecommunications services	752 (*) (except 7524, 7525, 7526)
Financial services	ex 81, 812, 814
(a) Insurance services	
(b) Banking and investments services (**)	
Computer and related services	84
Accounting, auditing and bookkeeping services	862
Market research and public opinion polling services	864
Management consulting services and related services	865, 866 (***)
Architectural services; engineering services and integrated engineering services, urban planning and landscape architectural services; related scientific and technical consulting services; technical testing and analysis services	867
Advertising services	871
Building-cleaning services and property management services	874, 82201 – 82206
Publishing and printing services on a fee or contract basis	88442
Sewage and refuse disposal; sanitation and similar services	94

(*) except voice telephony, telex, radiotelephony, paging and satellite services.

(**) except contracts for financial services in connection with the issue, sale, purchase or transfer of securities or other financial instruments, and central bank services.

(***) except arbitration and conciliation services.

Commitments by the Union

Subject	CPC Reference No.
Maintenance and repair services	6112, 6122, 633, 886
Land transport services, including armoured car services, and courier services, except transport of mail	712 (except 71235), 7512, 87304
Air transport services of passengers and freight, except transport of mail	73 (except 7321)
Transport of mail by land, except rail, and by air	71235, 7321
Telecommunications services	752 (*) (except 7524, 7525, 7526)
Financial services	ex 81, 812, 814
(a) Insurance services	
(b) Banking and investments services (**)	
Computer and related services	84
Accounting, auditing and bookkeeping services	862
Market research and public opinion polling services	864
Management consulting services and related services	865, 866 (***)
Architectural services; engineering services and integrated engineering services, urban planning and landscape architectural services; related scientific and technical consulting services; technical testing and analysis services	867
Advertising services	871
Building-cleaning services and property management services	874, 82201 – 82206
Publishing and printing services on a fee or contract basis	88442
Sewage and refuse disposal; sanitation and similar services	94

(*) except voice telephony, telex, radiotelephony, paging and satellite services.

(**) except contracts for financial services in connection with the issue, sale, purchase or transfer of securities or other financial instruments, and central bank services. In Finland payments from governmental entities (expenses) shall be transacted through a certain credit institution (Postipankki Ltd) or through the Finnish Postal Giro System. In Sweden, payments to and from governmental agencies shall be transacted through the Swedish Postal Giro System (Postgiro).

(***) except arbitration and conciliation services.

Sub-Annex 4

Construction Services covered by Chapter II of Section V of Title II of this Agreement

Commitments by Iraq

All services listed in Division 51 of the Central Product Classification (CPC)

Commitments by the Union

All services listed in Division 51 of the Central Product Classification (CPC)

Sub - Annex 5

General Notes and Derogations from the provisions of Chapter II of Section V of Title II of this Agreement

1. The provisions of Article 43.4 and Article 53 relating to the use of electronic means in procurement and the provisions on the reduction of the time periods in Article 50 and in the Appendix VI of ANNEX 1 to this Agreement will be applicable from the entry to force of the relevant legislation on electronic procurement in Iraq.
2. Contracts awarded by entities in Sub-Annex 1 and 2 in connection with the licensing of oil and gas services and for the licensing for the use of natural resources are not included.
3. Contracts intended to enable an activity mentioned in Sub-Annex 2 shall not be subject to procedures listed in this Agreement, if this activity is directly exposed to competition on markets to which the access is not restricted.
4. The provisions of Chapter II of Section V of Title II of this Agreement do not apply to the Finnish Åland Islands.

Appendix II*Media for publication of procurement information*

For Iraq

Procurement information is announced in the Iraqi Official Gazette.

For the Union

The Official Journal of the European Union

Information system for European public procurement: http://simap.europa.eu/index_en.html

Belgium:

- Laws, royal regulations, ministerial regulations, ministerial circulars – le Moniteur Belge
- Jurisprudence – Pasicrisie

Bulgaria:

- Laws and Regulations – Държавен вестник (State Gazette)
- Judicial decisions – www.sac.government.bg
- Administrative rulings of general application and any procedure – www.aop.bg and www.cpc.bg

Czech Republic:

- Laws and Regulations – Collection of Laws of the Czech Republic
- Rulings of the Office for the Protection of Competition – Collection of Rulings of the Office for the Protection of Competition

Denmark:

- Laws and regulations – Lovtidende
- Judicial decisions – Ugeskrift for Retsvaesen
- Administrative rulings and procedures – Ministerialtidende
- Rulings by the Appeal Board for Public Procurement – Konkurrencerådets Dokumentation

Germany:

- Legislation and regulations – Bundesanzeiger; Herausgeber: der Bundesminister der Justiz; Verlag: Bundesanzeiger
- Judicial Decisions: *Entscheidungsammlungen des Bundesverfassungsgerichts, Bundesgerichtshofs, Bundesverwaltungsgerichts, Bundesfinanzhofs sowie der Oberlandesgerichte*

Estonia:

- Laws, regulations and administrative rulings of general application: Riigi Teataja
- Judicial decisions of the Supreme Court of Estonia: Riigi Teataja (part 3)

Greece:

- Εφημερίς της Κυβερνήσεως της Ελληνικής Δημοκρατίας (Government Gazette of Greece)

Spain:

- Legislation – Boletín Oficial del Estado
- Judicial rulings – no official publication

France:

- Legislation – Journal Officiel de la République française
- Jurisprudence – Recueil des arrêts du Conseil d'Etat
- Revue des marchés publics

Ireland:

- Legislation and regulations – Iris Oifigiúil (Official Gazette of the Irish Government)

Italy:

- Legislation – Gazzetta Ufficiale
- Jurisprudence – no official publication

Cyprus:

- Legislation – Official Gazette of the Republic (Επίσημη Εφημερίδα της Δημοκρατίας)
- Judicial decisions: Decisions of the Supreme High Court – Printing Office (Αποφάσεις Ανωτάτου Δικαστηρίου 1999 – Τυπογραφείο της Δημοκρατίας)

Luxembourg:

- Legislation – Memorial
- Jurisprudence – Pasicrisie

Hungary:

- Legislation – Magyar Közlöny (Official Journal of the Republic of Hungary)
- Jurisprudence – Közbeszerzési Értesítő – a Közbeszerzések Tanácsa Hivatalos Lapja (Public Procurement Bulletin – Official Journal of the Public Procurement Council)

Latvia:

- Legislation – Latvijas vēstnesis (Official Newspaper)

Lithuania:

- Laws, regulations and administrative provisions – Official Gazette ('Valstybės žinios') of the Republic of Lithuania
- Judicial decisions, jurisprudence – Bulletin of the Supreme Court of Lithuania 'Teismų praktika'; Bulletin of the Supreme Court of Administrative Court of Lithuania 'Administracinių teismų praktika'

Malta:

- Legislation – Government Gazette

Netherlands:

- Legislation – Nederlandse Staatscourant and/or Staatsblad
- Jurisprudence – no official publication

Austria:

- Österreichisches Bundesgesetzblatt Amtsblatt zur Wiener Zeitung
- Sammlung von Entscheidungen des Verfassungsgerichtshofes
- Sammlung der Entscheidungen des Verwaltungsgerichtshofes – administrativrechtlicher und finanzrechtlicher Teil
- Amtliche Sammlung der Entscheidungen des OGH in Zivilsachen

Poland:

- Legislation Dziennik Ustaw Rzeczypospolitej Polskiej (Journal of Laws – Republic of Poland)
- Judicial decisions, jurisprudence 'Zamówienia publiczne w orzecznictwie. Wybrane orzeczenia zespołu arbitrów i Sądu Okręgowego w Warszawie' (Selection of judgments of arbitration panels and Regional Court in Warsaw)

Portugal:

- Legislation – Diário da República Portuguesa 1a Série A e 2a série
- Judicial Publications: Boletim do Ministério da Justiça
- Colectânea de Acordos do SupremoTribunal Administrativo
- Colectânea de Jurisprudencia Das Relações

Romania:

- Laws and Regulations – Monitorul Oficial al României (Official Journal of Romania)
- Judicial decisions, administrative rulings of general application and any procedure – www.anrmap.ro

Slovenia:

- Legislation – Uradni list Republike Slovenije (Official Gazette of the Republic of Slovenia)
- Judicial decisions – no official publication

Slovakia:

- Legislation – Zbierka zákonov (Collection of Laws)
- Judicial decisions – no official publication

Finland:

- Suomen säädöskokoelma – Finlands författningssamling (The Collection of the Statutes of Finland)

Sweden:

- Svensk Författningssamling (Swedish Code of Statutes)

United Kingdom:

- Legislation – HM Stationery Office
- Jurisprudence – Law Reports
- 'Public Bodies' – HM Stationery Office

Appendix III*Media for publication of notices*

For Iraq

Tenders are announced in three nationwide newspapers, including Al-Sabah, as well as on the website of the procuring entity. The notices on the websites include an English summary.

Upon completion of a national procurement portal, the procurement notices will be published there too.

For the Union

Information system for European public procurement: http://simap.europa.eu/index_en.html

The *Official Journal of the European Union*

Appendix IV

Notice of intended procurement

Each notice of intended procurement shall include:

1. The name and address of the procuring entity and other information necessary to contact the procuring entity and obtain all relevant documents relating to the procurement, and their cost and terms of payment, if any;
2. A description of the procurement, including the nature and quantity of the goods or services to be procured or, where the quantity is not known, the estimated quantity;
3. For recurring contracts, if possible, an estimate of the timing of subsequent notices of intended procurement;
4. A description of any options;
5. The time-frame for delivery of goods or services or the duration of the contract;
6. The procurement method that will be used and whether it will involve negotiation or electronic auction;
7. Where applicable, the address and any final date for the submission of requests for participation in the procurement;
8. The address and final date for the submission of tenders;
9. The language or languages in which tenders or requests for participation may/must be submitted, if other than an official language of the Party of the procuring entity;
10. A list and brief description of any conditions for participation of suppliers, including any requirements for specific documents or certifications to be provided by suppliers in connection therewith, unless such requirements are included in tender documentation that is made available to all interested suppliers at the same time as the notice of intended procurement;
11. Where, pursuant to Article 47, a procuring entity intends to select a limited number of qualified suppliers to be invited to tender, the criteria that will be used to select them and, where applicable, any limitation on the number of suppliers that will be permitted to tender.

Appendix V

Notice inviting interested suppliers to apply for inclusion in a multi-use list

Each notice inviting interested suppliers to apply for inclusion in a multi-use list of intended procurement shall include:

1. A description of the goods or services, or categories thereof, for which the list may be used;
 2. The conditions for participation to be satisfied by suppliers and the methods that the procuring entity will use to verify a supplier's satisfaction of the conditions;
 3. The name and address of the procuring entity and other information necessary to contact the entity and obtain all relevant documents relating to the list;
 4. The period of validity of the list and the means for its renewal or termination, or where the period of validity is not provided, an indication of the method by which notice will be given of the termination of use of the list.
-

Appendix VI

Time periods

1. A procuring entity that uses selective tendering shall establish that the final date for the submission of requests for participation shall not, in principle, be less than 25 days from the date of publication of the notice of intended procurement. Where a state of urgency duly substantiated by the procuring entity renders this time-period impracticable, the time-period may be reduced to not less than 10 days.
 2. Except as provided for in paragraph 3, a procuring entity shall establish that the final date for the submission of tenders shall not be less than 40 days from the date on which:
 - (a) in the case of open tendering, the notice of intended procurement is published; or
 - (b) in the case of selective tendering, the entity notifies the suppliers that they will be invited to submit tenders, whether or not it uses a multi-use list.
 3. A procuring entity may reduce the time-period for tendering set out in paragraph 2 to not less than 10 days where:
 - (a) the procuring entity published a notice of planned procurement under paragraph 3 of Article 45 at least 40 days and not more than 12 months in advance of the publication of the notice of intended procurement, and the notice of planned procurement contains:
 - i) a description of the procurement;
 - ii) the approximate final dates for the submission of tenders or requests for participation;
 - iii) a statement that interested suppliers should express their interest in the procurement to the procuring entity;
 - iv) the address from which documents relating to the procurement may be obtained; and
 - v) as much of the information that is required for the notice of intended procurement under Appendix IV, as is available.
 - (b) the procuring entity, for procurements of a recurring nature, indicates in an initial notice of intended procurement that subsequent notices will provide time periods for tendering based on this paragraph; or
 - (c) a state of urgency duly substantiated by the procuring entity renders such time-period impracticable.
 4. A procuring entity may reduce the time-period for tendering set out in paragraph 2 by five days for each one of the following circumstances:
 - (a) the notice of intended procurement is published by electronic means;
 - (b) all the tender documentation is made available by electronic means from the date of the publication of the notice of intended procurement;
 - (c) the entity accepts tenders by electronic means.
 5. The use of paragraph 4, in conjunction with paragraph 3, shall in no case result in the reduction of the time-periods for tendering set out in paragraph 2 to less than 10 days from the date on which the notice of intended procurement is published.
 6. Notwithstanding any other time-period in this Appendix, where a procuring entity purchases commercial goods or services, it may reduce the time-period for tendering set out in paragraph 2 to not less than 13 days, provided that the procuring entity publishes by electronic means, at the same time, both the notice of intended procurement and the complete tender documentation. In addition, where the entity accepts tenders of commercial goods or services by electronic means, it may reduce the time-period established in accordance with paragraph 2 to not less than 10 days.
 7. Where a procuring entity covered under Annex 2 has selected all or a limited number of qualified suppliers, the time-period for tendering may be fixed by mutual agreement between the procuring entity and the selected suppliers. In the absence of agreement, the period shall not be less than 10 days.
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Appendix VII

Award notices

The notice referred to in paragraph 2 of Article 55 shall at least contain the following information:

- (a) a description of the goods or services procured;
- (b) the name and address of the procuring entity;
- (c) the name and address of the successful supplier;
- (d) the value of the successful tender or the highest and lowest offers taken into account in the award of the contract;
- (e) the date of the award;
- (f) the type of procurement method used, and in cases where limited tendering was used, a description of the circumstances justifying the use of limited tendering.

Appendix VIII

Tender documentation

As referred to in paragraph 1 of Article 49, unless already provided in the notice of intended procurement, tender documentation shall include a complete description of:

- (a) the procurement, including the nature and quantity of the goods or services to be procured or, where the quantity is not known, the estimated quantity and any requirements to be fulfilled, including any technical specification, conformity assessment certification, plans, drawings or instructional materials;
 - (b) any conditions for participation of suppliers, including a list of information and documents that suppliers are required to submit in connection therewith;
 - (c) all evaluation criteria to be considered in the awarding of the contract, and, except where the price is the sole criterion, the relative importance of such criteria;
 - (d) where the procuring entity will conduct the procurement by electronic means, any authentication and encryption requirements or other equipments related to the receipt of information by electronic means;
 - (e) where the procuring entity will hold an electronic auction, the rules, including identification of the elements of the tender related to the evaluation criteria, on which the auction will be conducted;
 - (f) where there will be a public opening of tenders, the date, time and place for the opening and, where appropriate, the persons authorised to be present;
 - (g) any other terms of conditions, including terms of payment and any limitation on the means by which tenders may be submitted, e.g., paper or electronic means; and
 - (h) any dates for the delivery of goods or the supply of services.
-

ANNEX 2

INTELLECTUAL PROPERTY RIGHTS

Intellectual, industrial and commercial property conventions referred to in Article 60

1. In pursuance of the objectives set out in Article 60, the Parties confirm the importance they attach to their obligations arising from the Paris Convention for the Protection of Industrial Property (Stockholm Act, 1967 and amended in 1979).
 2. Paragraph 2 of Article 60 concerns the following multilateral conventions to which Iraq shall accede and ensure an adequate and effective implementation of the obligations arising from these multilateral conventions:
 - 2.1 Trade Related Aspects of Intellectual Property Rights (TRIPS Agreement, 1994);
 - 2.2 Berne Convention for the Protection of Literary and Artistic Works (1886, last amended in 1979);
 - 2.3 Protocol relating to the Madrid Agreement Concerning the International Registration of Marks (1989);
 - 2.4 Geneva Act to the Hague Agreement concerning the International Registration of Industrial Designs (1999);
 - 2.5 Patent Co-operation Treaty (Washington, 1970, last modified in 2001);
 - 2.6 Budapest Treaty on the International Recognition of the Deposit of Micro-organisms for the purposes of Patent Procedure (1977, amended in 1980).
 3. Paragraph 3 of Article 60 concerns the following multilateral conventions with which Iraq shall comply with:
 - 3.1 Rome Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organizations (1961);
 - 3.2 World Intellectual Property Organization Copyright Treaty – WCT (Geneva, 1996);
 - 3.3 World Intellectual Property Organization Performances and Phonograms Treaty – WPPT (Geneva, 1996);
 - 3.4 Singapore Treaty on the law of Trademarks (2006);
 - 3.5 Trademark Law Treaty (1994);
 - 3.6 Patent Law Treaty (Geneva, 2000);
 - 3.7 International Convention for the Protection of New Varieties of Plants (Geneva Act, 1991) (known as 'UPOV').
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ANNEX 3

ENQUIRY POINTS

EU PARTY

EUROPEAN UNION	European Commission - DG TRADE Services and investment unit Rue de la Loi 170 B-1000 BRUXELLES E-mail: TRADE-GATS-CONTACT-POINTS@ec.europa.eu
AUSTRIA	Federal Ministry of Economics and Labour Department for Multilateral Trade Policy - C2/11 Stubenring 1 A-1011 Vienna Austria Telephone: ++ 43 1 711 00 (ext. 6915/5946) Telefax: ++ 43 1 718 05 08 E-mail: post@C211.bmwa.gv.at
BELGIUM	Service public fédéral Economie, PME, Classes moyennes et Energie Direction générale du Potentiel économique (Federal Public Service Economy, SMEs, Self-employed and Energy Directorate – General Economic Potential) Rue du Progrès, 50 B-1210 Brussels Belgium Telephone: (322) 277 51 11 Telefax: (322) 277 53 11 E-mail: info-gats@economie.fgov.be
BULGARIA	Foreign Economic Policy Directorate Ministry of Economy and Energy 12, Alexander Batenberg Str. 1000 Sofia Bulgaria Telephone: (359 2) 940 77 61 (359 2) 940 77 93 Telefax: (359 2) 981 49 15 E-mail: wto.bulgaria@mee.government.bg
CYPRUS	Permanent Secretary Planning Bureau Apellis and Nirvana corner 1409 Nicosia Cyprus Telephone: (357 22) 406 801 (357 22) 406 852 Telefax: (357 22) 666 810 E-mail: planning@cytanet.com.cy maria.philippou@planning.gov.cy
CZECH REPUBLIC	Ministry of Industry and Trade Department of Multilateral and EU Common Trade Policy Politických vězňů 20 Praha 1 Czech Republic Telephone: (420 2) 2485 2012 Telefax: (420 2) 2485 2656 E-mail: brennerova@mpo.cz

DENMARK	Ministry of Foreign Affairs International Trade Policy and Business Asiatisk Plads 2 DK-1448 Copenhagen K Denmark Telephone: (45) 3392 0000 Telefax: (45) 3254 0533 E-mail: hp@um.dk
ESTONIA	Ministry of Economic Affairs and Communications 11 Harju street 15072 Tallinn Estonia Telephone: (372) 639 7654 (372) 625 6360 Telefax: (372) 631 3660 E-mail: services@mkm.ee
FINLAND	Ministry for Foreign Affairs Department for External Economic Relations Unit for the EC's Common Commercial Policy PO Box 176 00161 Helsinki Finland Telephone: (358-9) 1605 5528 Telefax: (358-9) 1605 5599
FRANCE	Ministère de l'Economie, des Finances et de l'Emploi Direction générale du Trésor et de la Politique économique (DGTPE) Service des Affaires multilatérales et du développement Sous Direction Politique commerciale et Investissement Bureau Services, Investissements et Propriété intellectuelle 139 rue de Bercy (télédoc 233) 75572 Paris Cédex 12 France Téléphone: +33 (1) 44 87 20 30 Telefax: +33 (1) 53 18 96 55 Secrétariat général des affaires européennes 2, Boulevard Diderot 75572 Paris Cédex 12 Téléphone: +33 (1) 44 87 10 13 Telefax: +33 (1) 44 87 12 61
GERMANY	Germany Trade and Invest (GTAI) Agrippastrasse 87-93 50676 Köln Germany Telephone: +49 (221) 2057 345 Telefax: +49 (221) 2057 262 E-mail: zoll@gtai.de; trade@gtai.de
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ANNEX 4

NOTES AND SUPPLEMENTARY PROVISIONS

Ad ARTICLE 23

Paragraph 2

Investment protection, other than the treatment deriving from Article 25, including investor state dispute settlement procedures, is not covered by this Section.

Ad ARTICLE 24

1. A juridical person is controlled by another juridical person if the latter has the power to name a majority of its directors or otherwise to legally direct its actions.
2. The terms 'constitution' and 'acquisition' of a juridical person shall be understood as including capital participation in a juridical person with a view to establishing or maintaining lasting economic links.

Ad ARTICLE 25

Paragraph 1

Treatment arising from commitments of the Union on the supply of services by contractual services suppliers and independent professionals shall be excluded from this provision. Treatment deriving from agreements concluded by the Union or its Members States providing for mutual recognition in accordance with Article VII of the GATS, shall also be excluded from this provision.

Paragraph 2

Iraq may meet the requirement of this paragraph by according to services, service suppliers, establishments and investors of the Union, either formally identical treatment or formally different treatment to that it accords to its own like services, service suppliers, establishments and investors. Formally identical or formally different treatment shall be considered to be less favourable if it modifies the conditions of competition in favour of services or service suppliers of Iraq compared to like services, service suppliers, establishments and investors of the Union.

Paragraph 3

For greater certainty, the notification should be addressed to the Director General of the Directorate General for Trade, or its successor.

Ad ARTICLE 29

Paragraph 4

The sole fact of requiring a visa shall not be regarded as nullifying or impairing those benefits.

Ad ARTICLE 60

Paragraph 1

For the purpose of this Agreement, intellectual property rights includes copyright, including copyright in computer programs and in databases, sui generis rights for non original databases, and rights related to copyright, rights related to patents, trademarks, trade names in so far as these are protected as exclusive property rights in the domestic law concerned, designs, layout-designs (topographies) of integrated circuits, geographical indications, including designations of origin, indications of source, plant varieties, protection of undisclosed information and the protection against unfair competition as referred to in Article 10bis of the Paris Convention for the Protection of Industrial Property (Stockholm Act 1967).

Ad Sub-Annex 1 of Appendix I of ANNEX 1

1. 'Contracting authorities of the Member States' covers also any subordinate entity of any contracting authority of a Member State provided it does not have separate legal personality.
 2. As far as procurement by the entities of the Union and by central government entities in the field of defence and security is concerned, only non-sensitive and non-warlike materials contained in the list included under the Commitments by the Union in ANNEX 1 of this Agreement are covered.
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**UNILATERAL DECLARATION BY THE EUROPEAN UNION ON ARTICLE 96 (CUSTOMS AND
TAX COOPERATION)**

The Union declares that Member States are committed under Article 96 (Customs and Tax Cooperation) only to the extent that they have subscribed to these principles of good governance in the tax area at Union level.

DECISIONS

EUROPEAN COUNCIL DECISION

of 11 July 2012

amending the status of Mayotte with regard to the European Union

(2012/419/EU)

THE EUROPEAN COUNCIL,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 355(6) thereof,

Having regard to the initiative of the French Republic,

Having regard to the opinion of the European Commission,

Whereas:

- (1) Article 355(6) of the Treaty on the Functioning of the European Union (TFEU) allows the European Council, on the initiative of the Member State concerned and acting unanimously after consulting the Commission, to adopt a decision amending the status, with regard to the Union, of a Danish, French or Netherlands country or territory referred to in paragraphs 1 and 2 of Article 355.
- (2) In a letter from the French President dated 26 October 2011, the French Republic (hereinafter 'France') asked the European Council to take such a decision to enable Mayotte, which currently has the status of an overseas country or territory within the meaning of Article 355(2) TFEU and is listed as such in Annex II to the Treaty, to acquire the status of an outermost region within the meaning of Article 349 TFEU.
- (3) France's request reflects the choice by the inhabitants of Mayotte to draw progressively closer to mainland France, confirmed by the referendum of 29 March 2009 in which 95,2 % of the votes cast were in favour of a proposal to make Mayotte a department. Accordingly, on 31 March 2011, Mayotte became the 101st French department and the fifth French overseas department.
- (4) The structural social and economic situation and the geographical situation of Mayotte present all the characteristics, referred to in Article 349 TFEU, of an outermost region within the meaning of that provision. References to Mayotte should therefore be inserted into Article 349, making the whole of that Article applicable to Mayotte, and into Article 355(1) TFEU.

- (5) The amendment of the status with regard to the European Union of Mayotte, in response to a democratically expressed request, should represent a step consistent with Mayotte's acquisition of a status close to that of the mainland,

HAS ADOPTED THIS DECISION:

Article 1

With effect from 1 January 2014, Mayotte shall cease to be an overseas country or territory, to which the provisions of Part Four of the Treaty on the Functioning of the European Union (TFEU) apply, and shall become an outermost region of the Union within the meaning of Article 349 TFEU.

Article 2

The TFEU shall be amended as follows:

- (1) in the first paragraph of Article 349, the word 'Mayotte' shall be inserted after the word 'Martinique';
- (2) in Article 355(1), the word 'Mayotte' shall be inserted after the word 'Martinique';
- (3) in Annex II, the sixth indent shall be deleted.

Article 3

This Decision shall enter into force on the day of its adoption.

It shall apply from 1 January 2014.

Done at Brussels, 11 July 2012.

For the European Council
The President
H. VAN ROMPUY

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